

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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REPORT OF THE SIXTEENTH SESSION OF THE CODEX COMMITTEE ON COCOA PRODUCTS AND CHOCOLATE

**Thun, Switzerland
30 September - 2 October 1996**

SUMMARY AND CONCLUSIONS

The Sixteenth Session of the Codex Committee on Cocoa Products and Chocolate reached the following conclusions:

MATTERS FOR CONSIDERATION BY THE COMMISSION

The Committee:

- requested formal approval of the Commission to elaborate the standard for chocolate and chocolate products.

MATTERS OF INTEREST TO THE COMMISSION

The Committee:

- returned the Proposed Draft Standard for Chocolate and Chocolate Products to Step 3 as several issues required further consideration, especially as it could not reach consensus on whether or not to allow the use of vegetable fats other than cocoa butters in manufacturing chocolate products and decided to solicit more information on impact on trade and economy of cocoa producing countries and technological justifications for their uses in order for the Committee to make a decision in the future; and
- returned the Proposed Draft Standards for: Cocoa Butter; Cocoa (Cacao) Nib, Cocoa (Cacao) Mass, Cocoa Press Cake and Cocoa Dust (Cocoa Fines) for Use in the Manufacture of Cocoa and Chocolate Products; and Cocoa Powders (Cocoas) and Dry Cocoa-Sugar Mixture for further government comments with the understanding that couverture chocolate/milk couverture chocolate, and powder chocolate and drinking chocolate preparation would be included in the standard for cocoa nib and for cocoa powders respectively.

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REPORT OF THE SIXTEENTH SESSION OF THE CODEX COMMITTEE ON COCOA PRODUCTS AND CHOCOLATE

OPENING OF THE SESSION (Agenda Item 1)

1. The Codex Committee on Cocoa Products and Chocolate held its Sixteenth Session in Thun, Switzerland from 30 September to 2 October, at the kind invitation of the Government of Switzerland. The meeting was opened and chaired by Mr. Pierre Rossier, Chairman of the Swiss National Committee of the Codex Alimentarius. The Session was attended by delegates and observers from 29 Member countries and 7 international organizations. The list of participants and members of the Secretariat is attached to this Report as Appendix I.

ADOPTION OF THE AGENDA (Agenda Item 2)

2. The Committee **adopted** the Provisional Agenda as presented in the document, CX/CPC 96/1.

CONSIDERATION AT STEP 4 OF PROPOSED DRAFT REVISED STANDARD FOR CHOCOLATE AND CHOCOLATE PRODUCTS¹ (Agenda Item 3)

3. The Committee noted that the Swiss Secretariat had prepared a new proposed draft standard for chocolate and chocolate products by merging the existing Codex Standards for Chocolate, for Cocoa Butter Confectionery, and for Composite and Filled Chocolate to accommodate the comments received in response to the circular letter CL 1995/28-CPC. The objective of this exercise had been to simplify the standard so as to make it less restrictive and more flexible. The Committee overwhelmingly welcomed the Swiss initiative and supported the simplification. The Committee **agreed** to place a number of paragraphs which need further discussions at future sessions in square brackets.

1. Scope

4. The Committee **agreed** not to include the term “final” before the word “consumers” as it was generally felt unnecessary. The Committee **decided** to amend the term “bulk sweetener” to “sweetener”.

2.1 Chocolate

First paragraph

5. The Committee considered how the Table summarizing the characteristics of the products be appropriately referred in the Standard. Although there was consensus on the fact that the description of products was defined in the text, the Committee had an extensive discussion on this issue in order to avoid any confusion. Some delegations supported the proposal of the United Kingdom to refer to the Table in such a way as to make it clear that the text prevailed in the case of discrepancy. However,

¹ CX/CPC 96/2, CX/CPC 96/3 (comments on the existing standards from Czech Republic, France, Côte d'Ivoire, Netherlands, Norway, Poland, South Africa, Spain, UK and CAOBISCO), CX/CPC 96/3-Add. 2 (comments on the existing standards from EC), CX/CPC 96/3-Add. 3 (comments on CX/CPC 96/2 from Australia, Brazil, Canada, Côte d'Ivoire, Czech Republic, Denmark, Ecuador, Ghana, Hungary, Italy, Japan, Republic of Korea, Malaysia, Mauritius, New Zealand, Philippines, Trinidad and Tobago, Thailand, USA, CAOBISCO, COPAL and IOCCC), CX/CPC 96/3-Add. 4 (CRD 1: methods of analysis), CX/CPC 96/3-Add. 5 (CRD 2: comments from India and EC), CX/CPC 96/3-Add. 6 (CRD 3; comments from Peru), CX/CPC 96/3-Add. 7 (CRD 4: comments from Indonesia).

other delegations felt that the Table was useful and an integral part of the Standard and therefore, reference should be kept as drafted. The Committee **agreed** to a compromise proposal to amend the term “shown in the Table” to “summarized in the Table”.

6. The Committee **agreed** that the term “sweeteners” should be understood in a general sense, and especially that it included honey. Editorial amendments were included to clarify that the combination with certain products was optional.

7. It was noted that the revised definition of chocolate integrated the previous definition of composite chocolate, although this product had been deleted from the standard, which might cause some confusion. The Committee considered the possibility of reintroducing the definition of composite chocolate and **agreed** to amend the last sentence of the paragraph to include reference to the exclusion of added flour and starch (except for products in Section 2.4.3 in the amended Standard) and animal fats other than milk fat.

8. The Delegation of France did not agree with this decision as it felt that the distinction between discernible and indiscernible foodstuffs should be retained.

Second paragraph

9. The Committee had an extensive discussion on the second paragraph regarding addition of vegetable fats other than cocoa butter. Many cocoa beans producing countries expressed their concerns as they felt that the use of vegetable fats other than cocoa butter in chocolate products would lead to a decline in the consumption of cocoa beans and subsequent economic decline in their countries and would be contrary to Articles 32 and 33 of the International Cocoa Agreement. The Delegations of Cameroon and Côte d'Ivoire presented information on the loss of income which would arise from the decline of consumption of cocoa beans (200 000 t). The Delegation of Côte d'Ivoire, citing the objective of Codex to protect consumers health, was of the view that while consumer should be well informed of the products, there was no appropriate method of analysis to monitor the level of vegetable fats other than cocoa butter and that as chocolate was cocoa solids/cocoa butter based product, the products containing vegetable fats other than cocoa butter should not be called chocolate. This position was shared by several non cocoa-producing countries including France and Belgium for various reasons, such as the cocoa level in chocolate and chocolate products were always higher than the minimum level prescribed in the Standard for technological reasons. The Delegation of the Netherlands emphasized the need for harmonized provision on this matter. It was also mentioned that present methods of analysis did not allow for a distinction of different vegetable fats.

10. Many other countries, however, argued that consumers should be provided with a broader range of products to choose from. It was noted that the function of the vegetable fats other than cocoa butter was similar to cocoa butter and was technologically useful especially in tropical climates. It was stated that vegetable fats other than cocoa butter were intended to be used in addition to but not as substitute of cocoa butter. The Delegation of Austria informed the Committee that after the legislation regarding the use of up to 5% vegetable fats other than cocoa butter had been put into effect, the consumption of raw cocoa materials increased in its country. The Observer from CAOBISCO referred to the result of the recent study on economic impact on cocoa beans producing countries of introducing vegetable fats other than cocoa butter, which showed that the decrease in consumption would be much smaller than previously estimated, being around 33 000 t of cocoa beans. It was explained that the study also demonstrated that due to a growing cocoa deficit, cocoa prices were rising and anticipated to continue to do so, so that no loss in revenue would be experienced by the producing countries, instead, a growth was to be expected. With regard to other remarks on conformity with the International Cocoa Agreement, the Observer from CAOBISCO mentioned that the Agreement states that substitution is not allowed if it will mislead the consumer which was not the case as the cocoa minima were maintained and that chocolate would carry an ingredient list. The

Delegation of the Philippines proposed that the level of vegetable fats should not exceed 5% of the total fat content of the finished products without reducing the minimum contents of cocoa materials.

11. The Committee noted the current situation within the EC: there are a group of countries banning the use of vegetable fats other than cocoa butter and another permitting their use; and the EC Directive on chocolate was in the course of simplification and update.

12. After a lengthy discussion, the Committee **decided** to place the paragraph between square brackets with the understanding that more information was needed on impact on trade and economy of cocoa producing countries and technological justifications in order for the Committee to decide how to deal with this paragraph. It was noted that reopening of the discussion on the second paragraph of Section 2.1 would entail a discussion on the first paragraph of the Section.

2.1.2 Unsweetened chocolate and 2.1.3 Sweetened (Plain) chocolate

13. The committee **decided** to retain these definitions as these products are on the market for sale to consumers in North America.

2.1.4 Milk chocolate

14. The Committee considered whether to retain two separate definitions for Milk Chocolate and Milk Chocolate with High Milk Content (as in the current standard), or to merge them into a single definition including all types of milk chocolate.

15. Several delegations and the Observer from the EC expressed the view that a clear distinction should be maintained as the proportion of cocoa solids was different (25% and 20%), while other delegations were in favour of a single definition and the Committee **agreed** to keep two definitions.

16. The Committee noted that the name of the product in French and Spanish (respectively "chocolat de ménage" and "chocolate familiar") did not correspond to the English name "High Milk Content" and had an exchange of views on how to harmonize the names in the three languages. Some delegations felt that a reference to "high milk content" implied a higher quality although this type of chocolate had a lower cocoa content, which would mislead the consumer. Other delegations were of the view that this product corresponded to a demand from consumers and should not be described by a term implying lower quality such as "household chocolate". The Committee could not find a satisfactory name for the product at this stage and placed the title of section 2.1.4.2 Milk Chocolate with High Milk Content in square brackets.

17. The Committee **agreed**, despite some opposition, to the suggestion of the Delegation of India to reduce the minimum level of milk fat from 3.5% to 2.5%, in view of the difficulties experienced in keeping the quality of the product in tropical climates.

2.1.5 Skimmed milk chocolate

18. The Committee **decided** not to amend the maximum level of milk fat as when skimmed milk containing 0.5% milk fat was used to manufacture skimmed milk chocolate, the maximum level of milk fat in the product could not be higher than 0.5% (dry matter basis).

2.1.6 Cream chocolate

19. The Committee **decided** to delete the reference to the minimum level of total fat.

2.1.7 Cocoa butter confectionery / White chocolate

20. The Delegation of Japan proposed that as cocoa butter confectionery does not contain non-fat cocoa solid, its definition should be separated from those of products containing non-fat cocoa solids, i.e., chocolate. The Committee, however, **decided** to retain the definition under Section 2.1.

2.2.2 Milk chocolate vermicelli / flakes

21. The Committee **agreed** to reduce the minimum level of milk solids from 14% to 12%. The Committee further **agreed** to reduce that of milk fat from 3.5% to 3% based on the calculation that 2% reduction of milk solids would correlate to 0.5% reduction in milk fat. The Committee **deleted** the reference to minimum level of total fat as in Section 2.1.6.

2.3 Filled Chocolate

22. The Committee **decided** to retain the second sentence of the section regarding exclusion of flour confectionery, pastry, biscuit or ice cream products as it was generally felt that its deletion would change the whole meaning of the section. The Committee also decided not to include in this section additional products proposed by the Delegation of Japan as they were not currently exported.

23. The Committee **decided** to maintain the third sentence in the first paragraph concerning minimum level of chocolate part of the coating and to harmonize the texts in French and Spanish version with that of English.

24. It was pointed out that although couverture chocolate was used in manufacturing filled chocolate and was a different product from chocolate with less cocoa solids and more cocoa butter, there was no definition for it in the Standard. It was proposed that its definition be either established or incorporated from the existing standards. The Committee **decided** to refer to couverture chocolate and milk couverture chocolate in the first sentence and deferred further discussion until the consideration of the proposed draft standards for semi-finished cocoa products under Agenda Item 4².

2.4 Other Chocolate Products

25. The Delegation of Australia stated that this type of products could be adequately regulated under a general standard for mixed foods.

2.4.1 A chocolate

26. The Delegation of India proposed to delete the term “in a single mouthful size” as the term was not applicable to bars. The Committee **decided** to retain the term in the Standard.

27. The Committee **agreed** to add a reference to Section 2.4.2 and to couverture chocolate and milk couverture chocolate as done in Section 2.3 since they were used to manufacture a chocolate.

2.4.2 Gianduja chocolate

28. The Committee agreed to use the wording proposed by the Delegation of Italy and Observer from the EC for the product description of gianduja chocolate and milk gianduja chocolate.

29. It was proposed to include a reference to the definition of chocolate in section 2.1.1. However, the Committee recalled that gianduja chocolate was a new product which had not been covered previously by the standard and recognized that in view of its specific characteristics, it did not

² Due to time constraints, the Committee could not consider these standards.

correspond to the definition, especially as regards the minimum cocoa solids and cocoa butter. The Committee noted that no confusion could arise between gianduja and other products as the name used for labelling purposes was also specific.

Flavoured chocolate

30. The Committee **agreed** that the description of this product was not necessary and it was deleted accordingly.

2.4.3 Chocolate a la taza

31. The Committee noted that this product was a significant export commodity in Spain and **agreed** to retain this section as currently drafted.

Table

32. The Delegation of the United Kingdom pointed out that the information contained in the Table was a summary of information in Section 2 while not as much as in Section 2 and proposed that the Table be moved to an annex or a sentence to clarify the status of the Table be introduced. (see also para. 5) The Committee **decided** to amend the title to read “Summary Table of Compositional Requirements of Section 2”. The table should be amended according to the amendments made in Section 2.

3. Food Additives

3.2 Emulsifiers

33. The Committee **agreed** that emulsifiers listed should be permitted for all chocolate products specified in the Standards. The Delegation of Brazil expressed a reservation on this amendment.

34. The Committee exchanged the views on the maximum level of total emulsifiers. While some delegations preferred to delete the level, some other delegations expressed the need for the level in relation to emulsifiers with ADIs³ allocated. The Committee **decided** to retain the level to cover the use of emulsifiers with numerical maximum levels and to delete the term “singly or” as the maximum levels prescribed for individual emulsifiers in the list were lower than that for total emulsifiers. The Committee also **decided** not to increase the maximum level to 20 g/kg as it felt that the level of 15 g/kg was high enough to cover the use of emulsifiers used in combination.

35. The Committee further **decided** to retain sorbitan monostearate and sorbitan tristearate in the list and to include glycerol with the maximum level of GMP.

3.3 Flavouring Agents

36. The Committee agreed to amend the maximum levels of all flavouring agents listed from “in small quantities to balance flavour” to GMP as there had been no definition of the term “small”. The Delegation of Japan proposed to delete the term “except those which would imitate natural chocolate or milk flavours” in order to enhance flavour. However, the Committee **decided** to retain it as this term was necessary to prevent fraud.

³ Acceptable Daily Intake(s).

3.4 Sweeteners

37. The Committee **agreed** to amend the subsection title to “sweeteners”; to amend the maximum level of thaumatin to GMP; and to include the following sweeteners :

Sweetener	Maximum Level
420 Sorbitol	GMP
421 Mannitol	GMP
953 Isomalt	GMP
965 Maltitol	GMP
966 Lactitol	GMP
967 Xylitol	GMP
959 Neohesperidine dihydrochalcone	100 mg/kg

The Delegations of Canada and the United States expressed reservations stating that non-nutritive sweeteners should not be permitted in chocolate products (see also para. 48). The Delegation of Malaysia suggested that if aspartame was used, there needed to be an indication of the presence of phenylalanine in the label to benefit those consumers sensitive to it..

38. The Committee **agreed** to transfer polydextrose to a new subsection of bulking agent as the substance does not have sweetening function.

3.5 Glazing Agents

39. The Committee noted the use of glazing agents in manufacturing chocolate products and **agreed** to establish a new subsection for glazing agents which includes the following:

Glazing agent	Maximum Level
414 Gum Arabic (Acacia gum)	GMP
440 Pectins	GMP
901 Beeswax, white and yellow	GMP
902 Candelilla wax	GMP
903 Carnauba wax	GMP
904 Shellac	GMP

3.6 Antioxidants

40. The Delegation of the United States requested to include the following antioxidants for the use in cocoa butter confectionery.

Antioxidants	Maximum Level
304 Ascorbyl palmitate	200 mg/kg
319 Tertiary butylhydroquine	200 mg/kg
320 Butylated hydroxyanisole	200 mg/kg
321 Butylated hydroxytoluene	200 mg/kg
310 Propylgallate	200 mg/kg
307 α -Tocopherol	750 mg/kg

Technological justification

The use of antioxidants is necessary for countries which have a large geographical area to prolong the shelf life of the product. Successful marketing depends on maintaining the freshness of the product through to sale to the consumer.

Another important point is that non-fat cocoa solids contain natural antioxidants. The non-fat cocoa solids are removed in the formulation of this product.

41. The Committee **decided** to place the whole subsection in square brackets as it did not have time to study it.

3.7 Colours

42. The Committee **agreed** to include the colours, gold (175) and silver (174), for the decoration of chocolate products at the maximum level of GMP as proposed by the Observer from the EC.

4. Contaminants

43. The Committee **decided** to increase the maximum levels for copper in the products described under 2.1 to 2.4 of the Standard (except unsweetened chocolate) and in unsweetened chocolate from 15 mg/kg to 20 mg/kg and 30 mg/kg to 35 mg/kg respectively based on the analytical data of cocoa mass compiled in the Netherlands over seven years. The Committee did not accept the proposal to decrease the maximum levels of lead from 1 mg/kg to 0.1 mg/kg (products except unsweetened chocolate) and from 2 mg/kg to 0.2 mg/kg (unsweetened chocolate) as there was no data available at the meeting to support the proposal.

5. Hygiene

44. The Committee agreed to maintain the Codex standard text provided for in the *Procedural Manual*.

6. Labelling

45. In section 6.1.1, the Committee agreed to refer to the names listed in Section 2. Description instead of the Table, in order to avoid any confusion.

Section 6.1.2

46. The Committee had an extensive exchange of views on the reference to foodstuffs representing at least 5% of the product in the name of the food. Some delegations were of the view that the consideration on vegetable fats should be deferred until so far as a conclusion had been reached on the addition of vegetable fats. The Observer from the EC informed the Committee that in the current draft EC Directive, whenever vegetable fats other than cocoa butter were added to chocolate, it should be stated in the list of ingredients.

47. The Committee **agreed** to keep the current definition in square brackets for the time being, with the understanding that this question would be discussed again in conjunction with the inclusion of vegetable fats. It was also noted that this section was not intended to refer specifically to vegetable fats, as it already existed in the current standard, but applied to all added foodstuffs. The Observer from the EC mentioned that "5%" should not be applied to hazelnuts in gianduja/milk gianduja and flour in chocolate a la taza.

48. The Committee also **agreed** to the proposal of the Delegation of the Philippines to include a sentence which reads when sugar is fully substituted with sweeteners, an appropriate declaration should be included in the designation of the chocolate, as it felt that the replacement of sugars with sweeteners affected the essential characteristics of the chocolate and specific information should be provided to the consumer. The Delegation of Canada agreed that non-nutritive sweeteners could be used if they were declared in the product designation (see para. 37 above). The Delegation of Australia was opposed to the inclusion of the chemical names in the name of the products.

6.1.6 Assorted chocolates

49. The Committee **agreed** that the ingredients could be declared as a single list for all the products in the assortment or alternatively as separate lists.

Section 6.1.7

50. In section 6.1.7, the Committee **agreed** to refer to Other Information Required instead of Flavoured Chocolate, as this category as such had been deleted from the Description. It further **agreed** to refer to the characterizing flavour in the product name.

51. The Committee considered whether to retain sections 6.1.7.3 and 6.1.7.4 respectively on the declaration of coffee and spirits and it was **agreed** to delete both sections as this was covered by the General Standard for the Labelling of Prepackaged Foods. In reply to a question by the Delegation of Malaysia, the Committee was informed that the declaration of any added spirits and liquors to the product was required in the list of ingredients. It was also noted that the reference to "halal" in the labelling was covered by the Draft General Guidelines for the Use of the Term "Halal"⁴. In this regard, the Delegation of Indonesia also expressed the view that the use of the term "halal" be fully reflected in the labelling.

Section 6.1.8

52. The Committee considered the proposal of CAOBISCO to introduce a new section 6.1.8 on the use of the term "chocolate" in other foodstuffs which made use of chocolate (e.g. chocolate cake). Some delegations expressed their concern as to the implications of this proposal which would need more thorough discussion. It was **agreed** to include this new section in square brackets.

6.2 List of Ingredients

53. The Committee **agreed** to delete this section as no addition was required with respect to the General Labelling Standard.

6.3 Declaration of Minimum Cocoa Contents

54. The Committee **agreed** to delete the reference to milk solids and to the indication of cocoa solids in proximity to the name of the product. The Delegation of the United States expressed the view that this declaration was not necessary as the product was required to conform to the specifications in the standard.

55. The Committee had an exchange of views on how the percentages should be calculated for declaration purposes. Some delegations were in favour of a calculation based on the deduction of discernible added foodstuffs only, as the current calculation after deduction of all edible foodstuffs would increase artificially the percentage of cocoa solids and would mislead the consumer. Several delegations however expressed the view that the current calculation was adequate and the Committee **agreed** to retain the present definition on the deduction of all other edible foodstuffs (discernible and non-discernible). The Delegation of Côte d'Ivoire expressed its reservation on this decision.

56. The Observer from the EC suggested the inclusion of a provision reserving information or descriptions relating to quality criteria of chocolate and chocolate products, in particular, products with higher level of cocoa solids.

⁴ ALINORM 97/22, para. 31.

6.4 Net Contents

57. Some delegations pointed out that the current exemption applying to small units up to 50 g should be limited to 15 g. It was also proposed to determine labelling requirements for small units on the basis of surface instead of weight. Notwithstanding, the Committee **agreed** to retain this section as currently drafted.

7. Methods of Analysis and Sampling

58. Due to time constraints, the Committee could not discuss this provision and **agreed** to consider it at the next session.

Status of the Proposed Draft Standard for Chocolate and Chocolate Products

59. As several issues in the standard required further consideration, the Committee **agreed** to return the Proposed Draft Standard to Step 3 of the Procedure for further comments on the text, as amended during the present session.

CONSIDERATION AT STEP 4 OF PROPOSED DRAFT REVISED STANDARDS FOR COCOA BUTTER, FOR COCOA (CACAO) NIB, COCOA (CACAO) MASS, COCOA PRESS CAKE AND COCOA DUST (COCOA FINES) FOR USE IN THE MANUFACTURE OF COCOA AND CHOCOLATE PRODUCTS, AND FOR COCOA POWDERS (COCOAS) AND DRY COCOA-SUGAR MIXTURE⁵ (Agenda Item 4)

60. Due to time constraints, the Committee could not consider the Proposed Draft Standards for: Cocoa Butter; Cocoa (Cacao) Nib, Cocoa (Cacao) Mass, Cocoa Press Cake and Cocoa Dust (Cocoa Fines) for Use in the Manufacture of Cocoa and Chocolate Products; and Cocoa Powders (Cocoas) and Dry Cocoa-Sugar Mixture. The Committee **agreed** to return them to Step 3 for further government comments. The Committee also **agreed** to include couverture chocolate/milk couverture chocolate, and powder chocolate and drinking chocolate preparation in the standards for cocoa nib and for cocoa powders respectively at its next Session.

OTHER BUSINESS AND FUTURE WORK (Agenda Item 5)

61. The Committee confirmed to continue the elaboration of the Proposed Draft Standards for: Chocolate and Chocolate Products; Cocoa Butters; cocoa (Cacao) Nib, Cocoa (Cacao) Mass, Cocoa Press Cake and Cocoa Dust (Cocoa Fines) for Use in the Manufacture of Cocoa and Chocolate Products; and Cocoa Powders (Cocoas) and Dry Cocoa-Sugar Mixtures. The Committee would seek formal approval of the Commission for the elaboration of the Proposed Draft Standards for Chocolate and Chocolate Products.

DATE AND PLACE OF NEXT SESSION (Agenda Item 6)

62. The next Session of the Committee was tentatively scheduled to be held in 1998. The final dates and place would be decided between the Host Government and the Codex Secretariat.

⁵ CL 1995/28-CPC, CX/CPC 96/3 (comments from Czech Republic, France, Côte d'Ivoire, Netherlands, Norway, Poland, South Africa, Spain, UK and CAOBISCO), CX/CPC 96/3-Add.1 (comments from Czech Republic, France, Côte d'Ivoire, Netherlands, Norway, Poland, South Africa, Spain, UK and CAOBISCO), CX/CPC-Add. 2 (comments from EC), CX/CPC 96/3-Add. 3 (comments from Hungary, Japan, Thailand, IOCCC), CX/CPC 96/3-Add. 4 (CRD 1: methods of analysis).

SUMMARY STATUS OF WORK

Subject	Step	Action by	Document Reference ALINORM 97/16
Proposed Draft Standard for Chocolate and Chocolate Products	1, 2, 3	22nd CAC Governments	paras. 3-59
Proposed Draft Revised Standard for Cocoa Butter	3	Governments	para. 60
Proposed Draft Revised Standard for Cocoa Nib (Cacao) Mass, Cocoa Press Cake and Cocoa Dust (Cocoa Fines) for Use in the Manufacture of Cocoa and Chocolate Products	3	Governments	para. 60
Proposed Draft Revised Standard for Cocoa Powders (Cocoas) and Dry Cocoa-Sugar Mixture	3	Governments	para. 60

PROPOSED DRAFT STANDARD FOR CHOCOLATE AND CHOCOLATE PRODUCTS (at Step 3 of the Codex Procedure)

1. SCOPE

The standard applies to all chocolate and chocolate products for sale to consumers. These products must contain, in their formulations, minimum quantities of cocoa and cocoa materials with the addition of a range of wholesome foodstuffs such as sugars, sweeteners, milk products, flavouring substances and other food ingredients in order to modify, in a characteristic manner, the organoleptic properties of the final product.

2. DESCRIPTION AND ESSENTIAL COMPOSITION FACTORS

2.1 Chocolate

Chocolate is the generic name for the homogenous products complying with the descriptions below and summarized in the Table. It is obtained by an adequate manufacturing process from cocoa materials which may be combined with milk products, sugars and/or sweeteners, emulsifiers and/or flavours. Other edible foodstuffs, excluding added flour and starch (except for products in 2.4.3 of this Standard) and animal fats other than milk fat, may be added to form composite chocolate. The additions shall be limited to 40 % of the total weight of the finished product, subject to the labelling provisions under Section 6.

[The addition of vegetable fats other than cocoa butter shall not exceed 5% of the finished product, after deduction of the total weight of any other added edible foodstuffs, without reducing the minimum contents of cocoa materials.]

2.1.1 Chocolate

Chocolate shall contain, on a dry matter basis, not less than 35% total cocoa solids, of which not less than 18% shall be cocoa butter and not less than 14% fat-free cocoa solids.

2.1.2 Unsweetened Chocolate

Unsweetened Chocolate is a chocolate made with no added sugars and shall contain, on a dry matter basis, not less than 14% fat-free cocoa solids and not less than 50% and not more than 58% cocoa butter.

2.1.3 Sweet (Plain) Chocolate

Sweet (Plain) Chocolate shall contain, on a dry matter basis, not less than 30% total cocoa solids, of which at least 18% shall be cocoa butter and at least 12% fat-free cocoa solids.

2.1.4 Milk Chocolate

2.1.4.1 Milk Chocolate

Milk Chocolate shall contain, on a dry matter basis, not less than 25% cocoa solids (including a minimum of 2.5% fat-free cocoa solids) and not less than 14% milk solids (including a minimum of 2.5% milk fat).

2.1.4.2 [Milk Chocolate with High Milk Content]

[Milk Chocolate with High Milk Content] shall contain, on a dry matter basis, not less than 20% cocoa solids (including a minimum of 2.5% fat-free cocoa solids) and not less than 20% milk solids (including a minimum of 5% milk fat).

2.1.5 Skimmed Milk Chocolate

Skimmed Milk Chocolate shall contain, on a dry matter basis, not less than 25% cocoa solids (including a minimum of 2.5% fat-free cocoa solids) and not less than 14% milk solids (including a maximum of 0.5% milk fat).

2.1.6 Cream Chocolate

Cream Chocolate shall contain, on a dry matter basis, not less than 35% total cocoa and milk solids combined, of which at least 25% shall be cocoa solids (including a minimum of 2.5% fat-free cocoa solids) and at least 10% and not more than 21% shall be milk solids (including a minimum of 7% of milk fat).

2.1.7 Cocoa Butter Confectionery / White Chocolate

Cocoa Butter Confectionery / White Chocolate shall contain, on a dry matter basis, not less than 20% shall be cocoa butter and not less than 14% milk solids (including a minimum of 3% milk fat).

2.2 Vermicelli and Flakes

Vermicelli and Flakes are cocoa products obtained by a mixing, extrusion and hardening technique which gives unique, crisp textural properties to the products. Vermicelli are presented in the form of short, cylindrical grains and flakes in the form of small flat pieces.

2.2.1 Chocolate Vermicelli / Flakes

Chocolate Vermicelli / Flakes shall contain, on a dry matter basis, not less than 32% total cocoa solids, of which at least 12% shall be cocoa butter and 14% fat-free cocoa solids.

2.2.2 Milk Chocolate Vermicelli / Flakes

Milk Chocolate Vermicelli / Flakes shall contain, on a dry matter basis, not less than 20% cocoa solids (including a minimum of 2.5% fat-free cocoa solids) and not less than 12% milk solids (including a minimum of 3% milk fat).

2.2.3 Cocoa Butter Confectionery Vermicelli / Flakes // White Chocolate Vermicelli / Flakes

Cocoa Butter Confectionery Vermicelli / Flakes // White Chocolate Vermicelli / Flakes shall contain, on a dry matter basis, not less than 20% cocoa butter and not less than 14% milk solids (including a minimum of 3.5% milk fat).

2.3 Filled Chocolate

Filled Chocolate is a product covered by a coating of one or more of the Chocolates defined in Section 2.1 or 2.4, with exception of chocolate a la taza, of this Standard, or couverture chocolate or milk couverture chocolate defined in Section xx of the Codex Standard xx, the centre of which is clearly distinct through its composition from the external coating. Filled Chocolate does not include Flour Confectionery, Pastry, Biscuit or Ice Cream products. The chocolate part of the coating must make up at least 25% of the total weight of the product concerned.

If the centre part of the product is made up of a component or components for which a separate Codex Standard exists, then the component(s) must comply with this applicable standard.

2.4 Other chocolate products

Other chocolate products are the additional commercially available products that rely for their essential character either totally or extensively on cocoa materials.

2.4.1 A Chocolate

A Chocolate designates the product in a single mouthful size, where the amount of the chocolate component shall not be less than 25% of the total weight of the product. The product shall consist of either filled chocolate or a single or combination of the chocolates as defined under Sections 2.1 and 2.4, with exception of chocolate a la taza, and Section xx of the Codex Standard xx.

2.4.2 Gianduja Chocolate

2.4.2.1 Gianduja Chocolate

Gianduja chocolate is the product obtained, firstly, from chocolate having a minimum total dry cocoa solids content of 32%, including a minimum dry non-fat cocoa solids content of 8%, and, secondly, from finely ground hazelnuts, in such quantities that 100 grammes of the products contain not less than 20 grammes of hazelnuts.

2.4.2.2 Milk Gianduja Chocolate

Milk Gianduja chocolate is the product obtained, firstly, from milk chocolate having a minimum dry milk solids content of 10% and, secondly, from finely ground hazelnuts such that 100 grammes of product contain not less than 15 grammes of hazelnuts.

2.4.3 Chocolate a la taza

2.4.3.1 Chocolate a la taza is the product described under Section 2.1.1 of this Standard and containing a maximum of 8% m/m flour and/or starch.

2.4.3.2 Chocolate familiar a la taza is the product described under Section 2.1.3 of this Standard and a maximum of 18% m/m flour and/or starch.

TABLE : SUMMARY TABLE OF COMPOSITIONAL REQUIREMENTS OF SECTION 2

(% calculated on the dry matter in the product and after deduction of the weight of the other edible foodstuffs authorized under Section 2.1)

Constituents Product	Cocoa Butter	Fat-free Cocoa Solids	Total Cocoa Solids	Milk Fat	Total Milk Solids	Combined cocoa and milk solids
2.1 CHOCOLATE						
2.1.1 CHOCOLATE	≥ 18	≥ 14	≥ 35			
2.1.2 UNSWEETENED CHOCOLATE	≥ 50 - ≤ 58	≥ 14				
2.1.3 SWEET (PLAIN) CHOCOLATE	≥ 18	≥ 12	≥ 30			
2.1.4 MILK CHOCOLATE						
2.1.4.1 MILK CHOCOLATE		≥ 2.5	≥ 25	≥ 2.5	≥ 14	
2.1.4.2 [MILK CHOCOLATE WITH HIGH MILK CONTENT]		≥ 2.5	≥ 20	≥ 5	≥ 20	
2.1.5 SKIMMED MILK CHOCOLATE		≥ 2.5	≥ 25	≤ 0.5	≥ 14	
2.1.6 CREAM CHOCOLATE		≥ 2.5	≥ 25	≥ 7	≥ 10 - ≤ 21	≥ 35
2.1.7 COCOA BUTTER CONFECTIONERY / WHITE CHOCOLATE	≥ 20			≥ 3.5	≥ 14	
2.2 VERMICELLI and FLAKES						
2.2.1 CHOCOLATE VERMICELLI / FLAKES	≥ 12	≥ 14	≥ 32			
2.2.2 MILK CHOCOLATE VERMICELLI / FLAKES		≥ 2.5	≥ 20	≥ 3	≥ 12	
2.2.3 COCOA BUTTER CONFECTIONERY VERMICELLI / FLAKES // WHITE CHOC. VERMICELLI / FLAKES	≥ 20			≥ 3.5	≥ 14	
2.3 FILLED CHOCOLATE (See Section 2.3)						

TABLE : SUMMARY TABLE OF COMPOSITIONAL REQUIREMENTS OF SECTION 2

(% calculated on the dry matter in the product and after deduction of the weight of the other edible foodstuffs authorized under Section 2.1)

Constituents Product	Cocoa Butter	Fat-free Cocoa Solids	Total Cocoa Solids	Milk Fat	Total Milk Solids	Combined cocoa and milk solids
2.4 OTHER CHOCOLATE PRODUCTS						
2.4.1 A CHOCOLATE (See Section 2.4.1)						
2.4.2 GIANDUJA CHOCOLATE						
2.4.2.1 GIANDUJA CHOCOLATE (See Section 2.4.2.1)		≥ 8	≥ 32			
2.4.2.1 MILK GIANDUJA CHOCOLATE (See Section 2.4.2.2)					≥ 10	
2.4.3 CHOCOLATE A LA TAZA						
2.4.3.1 CHOCOLATE A LA TAZA (See Section 2.4.3.1)						
2.4.3.2 CHOCOLATE FAMILIAR A LA TAZA (See Section 2.4.3.2)						

3.5 Glazing agents

		<u>Maximum Level</u>	<u>Food</u>
414	Gum Arabic (Acacia gum)	GMP	Products described under 2.1 to 2.4
440	Pectin	GMP	" "
901	Beeswax, white and yellow	GMP	" "
902	Candelilla wax	GMP	" "
903	Carnauba wax	GMP	" "
904	Shellac	GMP	" "

[3.6 Antioxidants

		<u>Maximum Level</u>	<u>Food</u>
304	Ascorbyl palmitate	200 mg/kg	Products described under 2.1.7
319	Tertiary butylhydroquine	200 mg/kg	" "
320	Butylated hydroxyanisole	200 mg/kg	" "
321	Butylated hydroxytoluene	200 mg/kg	" "
310	Propylgallate	200 mg/kg	" "
307	α-Tocopherol	750 mg/kg	" "]

3.7 Colours (for decoration purpose only)

		<u>Maximum Level</u>	<u>Food</u>
175	Gold	GMP	Products described under 2.1 to 2.4
174	Silver	GMP	

3.8 Bulking agents

		<u>Maximum Level</u>	<u>Food</u>
1200	Polydextrose	GMP	Products described under 2.1 to 2.4

4. CONTAMINANTS

		<u>Maximum Level</u>	<u>Food</u>
4.1.	Arsenic (As)	0.5 mg/kg	Products described under 2.1 to 2.4 except Unsweetened Chocolate
		1 mg/kg	
4.2	Copper (Cu)	20 mg/kg	Products described under 2.1 to 2.4 except Unsweetened Chocolate
		35 mg/kg	
4.3	Lead (Pb)	1 mg/kg	Products described under 2.1 to 2.4 except Unsweetened Chocolate
		2 mg/kg	

5. **HYGIENE**

5.1. It is recommended that the products covered by the provisions of this standard be prepared and handled in accordance with the appropriate sections of the Recommended International Code of Practice - General Principles of Food Hygiene (CAC/RCP 1-1969, Rev.2 - 1985, *Codex Alimentarius* Volume 1B), and other Codes of Practice recommended by the Codex Alimentarius Commission which are relevant to these products.

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

5.3 When tested by appropriate methods of sampling and examination, the product :

- a) shall be free from microorganisms in amounts which may represent a hazard to health;
- b) shall be free from parasites which represent a hazard to health; and
- c) shall not contain any substance originating from microorganisms in amount which represent a hazard to health.

6. **LABELLING**

In addition to the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985 (Rev. 1-1991), *Codex Alimentarius*, Volume 1A), the following declarations shall be made :

6.1 **Name of the Food**

6.1.1 Products described under Sections 2.1 to 2.4 of this Standard and complying with the appropriate requirements of the relevant section shall be designated according to the name listed in Section 2 under subsequent section and subject to the provisions under Section 6 of this Standard.

[6.1.2 If the amount of any edible foodstuff added in accordance with the Section 2.1 of this Standard is equal or higher than 5% m/m of the weight of the product, a reference to these foodstuff or foodstuffs shall be included in the designation of the chocolate.

When sugar is fully substituted with sweeteners, an appropriate declaration should be included in the designation of the chocolate.

Example: X chocolate sweetened with aspartame.]

6.1.3 Cocoa Butter Confectionery / White Chocolate

Product described under Section 2.1.7 of this Standard and complying with the appropriate requirements of this Section shall be designated "**Cocoa Butter Confectionery**". In those countries where the name "**White Chocolate**" is widely used, the use of this name is permitted.

6.1.4 Filled Chocolate

6.1.4.1 Products described under Section 2.3. shall be designated "**X Filled Chocolate**", "**Chocolate with X Filling**" or "**Chocolate with X centre**" where "X" is descriptive of the nature of the filling.

6.1.4.2 The type of chocolate used in the external coating may be specified, whereby the designations used shall be the same as stated under Section 6.1.1 of this Standard.

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

6.1.5 A chocolate

Products in a single mouthful size described under Section 2.4.1 of this Standard shall be designated "**A Chocolate**" or "**Praline**".

6.1.6 Assorted Chocolates

Where the products described under Section 2.1, 2.2, 2.3 or 2.4, with exception of chocolate a la taza, are sold in assortments, the product name may be replaced by the words “**Assorted Chocolates**” or “**Assorted filled Chocolates**”, “**Assorted Vermicelli**”, etc.. In that case, there shall be a single list of ingredients for all the products in the assortment or alternatively lists of ingredients by products.

6.1.7 Other Information Required

6.1.7.1 Any characterizing flavour, other than chocolate flavour shall be in the designation of the product.

6.1.7.2 Ingredients which are especially aromatic and characterize the product shall form part of the name of the product (e.g. Mocca Chocolate).

[6.1.8 Use of the Term Chocolate

Products not defined under this Standard, and where the taste is derived from non-fat cocoa solids, can carry the term “chocolate” in their designations in accordance with custom and this to designate other products which cannot be confused with those defined in this Standard.]

6.2 **Declaration of Minimum Cocoa Content**

Products described under Section 2.1 of this Standard shall carry a declaration of cocoa solids except that governments of countries in which different names are used to differentiate the products may allow for no declaration. For the purpose of this declaration, the percentages declared shall be made after the deduction of the other permitted edible foodstuffs.

6.3 **Net Contents**

Small units of up to 50 g may be exempted from a declaration of net weight on the label.

6.4 **Labelling of Non-Retail Containers**

Information, as appropriate needed for labelling of retail containers is given either on the non-retail containers or in accompanying documents except that the name of the food, date marking and storage instructions, lot identification and the name and address of the manufacturer or packer shall appear on the non-retail container.

However, lot identification and the name and address of the manufacturer or packer may be replaced by an identification mark provided that such a mark is clearly identified with the accompanying documents.

7. **Methods of Analysis**

7.1 **Determination of Arsenic**

According to AOAC 952.13 (Codex general method).

7.2 **Determination of Centre and Coating in Composite and Filled Chocolate**

According to the method described in ALINORM 83/23, p.27.

7.3 **Determination of Cocoa Butter**

According to AOAC 963.15 or IOCCC 14-1972.

7.4 **Determination of Copper**

According to AOAC 971.20 (Codex general method) or AOAC 960.40 (Codex general method).

7.5 Determination of Fat-free Cocoa Solid

According to AOAC 931.05.

7.6 Determination of Fat-free Milk Solids

According to IOCCC 17-1973 or AOAC 939.02.

7.7 Determination of Lead

According to AOAC 986.15 (Codex general method).

7.8 Determination of Milk Fat

According to IOCCC 8i (1962) or AOAC 945.34, 925.41B, 920.80.

7.9 Determination of Moisture

According to IOCCC 26-1988 or AOAC 977.04.

7.10 Determination of Moisture/Loss on Drying

According to AOAC 931.04 or IOCCC 1-1952.

7.11 Determination of Sugars

According to AOAC 980.13.

7.12 Determination of Total Ash

According to AOAC 972.15.

7.13 Determination of Total Fat

According to AOAC 963.15.

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