

codex alimentarius commission



FOOD AND AGRICULTURE
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ORGANIZATION



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ALINORM 01/14

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Twenty-fourth Session, Geneva, 2-7 July 2001

**REPORT OF THE EIGHTEENTH SESSION OF THE
CODEX COMMITTEE ON COCOA PRODUCTS AND CHOCOLATE**

Fribourg, Switzerland, 2-4 November 2000

Note: This report contains the Circular Letter CL 2000/46-CPC

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**CL 2000/46-CPC
December 2000**

TO: Codex Contact Points
Interested International Organizations

FROM: Secretary, Joint FAO/WHO Food Standards Programme
FAO, 00100 Rome, Italy

SUBJECT: DISTRIBUTION OF THE REPORT OF THE EIGHTEENTH SESSION OF THE CODEX COMMITTEE ON CHOCOLATE AND CHOCOLATE PRODUCTS (ALINORM 01/14)
The report of the Eighteenth Session of the Codex Committee on Chocolate and Chocolate Products will be considered by the 24th Session of the Codex Alimentarius Commission (Geneva, 2-7 July 2001)

PART A MATTERS FOR ADOPTION BY THE TWENTY FOURTH SESSION OF THE CODEX ALIMENTARIUS COMMISSION AT STEP 8

**1. DRAFT STANDARD FOR COCOA BUTTER AT STEP 8
(ALINORM 01/14 - PARAS 7-16 AND APPENDIX II)**

Governments and interested international organizations are invited to comment on the above standard and should do so in writing in conformity with the Guide to the Consideration of Standards at Step 8 (See *Procedural Manual of the Codex Alimentarius Commission*, Eleventh Edition, page 26-27) to the Secretary of the Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, FAO, Viale delle Terme di Caracalla, 00100 Rome, Italy, Fax: +39 06570 54593, Email: Codex@fao.org **before 1st February 2001**

**2. DRAFT STANDARD FOR COCOA (CACAO) MASS (COCOA/CHOCOLATE LIQUOR) AND COCOA CAKE AT STEP 8
(ALINORM 01/14 - PARAS 17-27 AND APPENDIX III)**

Governments and interested international organizations are invited to comment on the above standard and should do so in writing in conformity with the Guide to the Consideration of Standards at Step 8 (See *Procedural Manual of the Codex Alimentarius Commission*, Eleventh Edition, page 26-27) to the Secretary of the Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, FAO, Viale delle Terme di Caracalla, 00100 Rome, Italy, Fax: +39 06570 54593, Email: Codex@fao.org **before 1st February 2001**

3. DRAFT STANDARD FOR COCOA POWDERS (COCOAS) AND DRY MIXTURES OF COCOA AND SUGARS AT STEP 8 (ALINORM 01/14 - PARAS 28-46 AND APPENDIX IV)

Governments and interested international organizations are invited to comment on the above standard and should do so in writing in conformity with the Guide to the Consideration of Standards at Step 8 (See *Procedural Manual of the Codex Alimentarius Commission*, Eleventh Edition, page 26-27) to the Secretary of the Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, FAO, Viale delle Terme di Caracalla, 00100 Rome, Italy, Fax: +39 06570 54593, Email: Codex@fao.org **before 1st February 2001**

PART B REQUEST FOR INFORMATION AND COMMENTS

1. PROPOSED DRAFT STANDARD FOR CHOCOLATE AND CHOCOLATE PRODUCTS AT STEP 5 (ALINORM 01/14 - PARAS 47-75 AND APPENDIX V)

Governments and interested international organizations wishing to submit comments on the above standard at Step 5 should do so in writing in conformity with the Uniform Procedure for the Elaboration of Codex Standards and Related Texts (See *Procedural Manual of the Codex Alimentarius Commission*, Eleventh Edition, page 23-24) to Ms Awilo Ochieng Pernet ; Codex Contact Point ; Swiss Federal Office of Public Health ; CH-3003 Bern, Switzerland, Fax: +41 31 322 95 74 ; Email: awilo.ochieng@bag.admin.ch with copy to the Secretary of the Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, FAO, Viale delle Terme di Caracalla, 00100 Rome, Italy, Fax: +39 06570 54593, Email: Codex@fao.org **before 1st February 2001**

SUMMARY AND CONCLUSIONS

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

The Codex Committee agreed to:

Part A: MATTERS FOR CONSIDERATION BY THE COMMISSION

- (a) Advance the revised *Draft Standard for Cocoa Butter* to Step 8 of the Codex Procedure for final adoption by the Commission. (Para. 16 and Appendix II);
- (b) Advance the revised *Draft Standard for Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake* to Step 8 of the Codex Procedure for final adoption by the Commission. (Para. 27 and Appendix III);
- (c) Advance the revised *Draft Standard for Cocoa Powders (Cocoas) and Dry Mixtures of Cocoa and Sugars* to Step 8 of the Codex Procedure for final adoption by the Commission (Para. 46 and Appendix IV)
- (d) Ask the Commission to revoke all the existing standards on Chocolate and Chocolate products for which that are covered by the Draft Standards above proposed for adoption.
- (e) Advance the revised *Proposed Draft Standard for Chocolate and Chocolate Products* for consideration by the Commission at Step 5 of the Codex Procedure (Para. 75 and Appendix V), noting that considerable progress had been made on the most difficult issues surrounding this standard.

Part B: MATTERS OF INTEREST TO THE CODEX COMMITTEE ON FOOD ADDITIVES AND CONTAMINANTS

- (f) Invite Member Countries to provide data on Lead levels in products obtained from good agricultural and manufacturing practices, and to submit these data to CCFAC to either confirm the levels of Lead or to justify higher levels established in Cocoa Products and Chocolate (See paras. 11-13 ; 24 and 40);
- (g) Seek the advice of the CCFAC on a list of food additives intended to be used in the preparation of Cocoa Powders (Cocoas) and Dry Mixtures of Cocoa and Sugar-based Beverages. (See para. 35)
- (h) Submit complete lists of food additives intended to be endorsed in the preparation of Cocoa Products and Chocolate in the above standards.

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

INTRODUCTION

1. The Codex Committee on Cocoa Products and Chocolate held its Eighteenth Session in Fribourg, Switzerland from 2 to 4 November 2000 at the kind invitation of the Swiss Government. The Session was chaired by Prof. Dr. Ing. Erich J. Windhab, Chair of Food Process Engineering, Institute of Food Science, Swiss Federal Institute of Technology, Zurich. It was attended by 76 Delegates, advisors and observers from 26 Members of the Commission and 12 observers from 6 international governmental and non-governmental organizations. A full list of participants, including members of the Secretariat, is given in Appendix I to this report.

ADOPTION OF THE AGENDA¹ (Item 1)

2. The Committee adopted the Provisional Agenda as the Agenda for the Session.

MATTERS REFERRED TO THE COMMITTEE BY THE CODEX ALIMENTARIUS COMMISSION AND/OR OTHER CODEX COMMITTEES² (ITEM 2)

3. The Committee noted that the 23rd Session of the Commission had adopted the Proposed Draft Standards for Cocoa Butters, for Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake for the Use in the Manufacture of Cocoa and Chocolate Products, and for Cocoa Powders (Cocoas) and Dry Cocoa-Sugar Mixture at Step 5 as proposed and advanced them to Step 6. It was noted that these matters would be taken up under Agenda Item 3.

ENDORSEMENT OF FOOD ADDITIVES PROVISIONS

4. The Codex Committee on Food Additives and Contaminants (CCFAC, 31st Session) endorsed the food additives provisions in the Proposed Draft Standards for Cocoa Butters, for Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake for the Use in the Manufacture of Cocoa and Chocolate Products, and for Cocoa Powders (Cocoas) and Dry Cocoa-Sugar Mixture, except Potassium aluminium silicate (555) as an anti-caking agent in Cocoa Powders (Cocoas) and Dry Cocoa-Sugar Mixtures since this substance had no Acceptable Daily Intake (ADI) allocated by JECFA.

ENDORSEMENT OF CONTAMINANT PROVISIONS

5. The CCFAC considered the contaminant provisions in the Proposed Draft Standards for Cocoa Butters, for Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake for the Use in the Manufacture of Cocoa and Chocolate Products, and for Cocoa Powders (Cocoas) and Dry Cocoa-Sugar Mixture. The CCFAC decided to refer these levels to this Committee for further consideration. Opinions were expressed at the 31st Session of the CCFAC that:

- the maximum levels for lead were too high;
- more information should be provided to the CCFAC to justify the maximum levels of lead; and
- the levels should be based on sound science and reflect what was technologically feasible.

¹ CX/CPC 00/1

² CX/CPC 00/2

STATUS OF CODEX TEXTS IN THE FRAMEWORK OF THE TBT AGREEMENT

6. The Committee noted that this matter had been discussed by the Codex Committee on General Principles (CCGP, 14th Session, 1999) and it had been agreed that all Codex texts, including standards and their annexes were covered by the WTO Agreement on Technical Barriers to Trade.³ It was further noted that under the Agreement, countries were not obliged to implement international standards automatically, but if an international standard existed or their completion was imminent, such standards or relevant parts of them, should be used in the development of any national standards for the same products except where such international standards or relevant parts would be ineffective or inappropriate.⁴

CONSIDERATION OF DRAFT REVISED STANDARDS AT STEP 7⁵ (Agenda Item 3)**A. DRAFT STANDARD FOR COCOA BUTTER (ALINORM 99/14, APPENDIX II)****Title and Scope**

7. The Committee adopted the Title and Scope of the standard without change.

Description (Section 2)

8. At the request of the Delegation of India, the Committee decided to reinstate the former maximum level for unsaponifiable matter of 0.7% m/m, in order to meet processing limitations in many countries. The Delegation of France on behalf of the Members of the European Union expressed its reservation at this decision.

9. The Committee decided to recognize the existence in trade of “*press cocoa butter*” as defined in the Standard and agreed to remove the square brackets from the definition of this product.

Food Additives/Processing Aids (Section 3)

10. The Delegation of the United States proposed that all safe and suitable extraction solvents be allowed for use, and this proposal was supported by several other Delegations. It was noted that several extraction solvents were included in the Codex Inventory of Processing Aids with defined maximum limits for residues. The Committee decided however to retain the reference only to hexane with a maximum residue limit of 1 mg/kg as had been endorsed by the CCFAC.

Contaminants (Section 4)

11. The Committee had an extensive debate on the maximum limit for **Lead (Pb)** and the possibility of reducing the proposed limit from 0.5 mg/kg to 0.1 mg/kg. Several delegations reported that levels found in commerce indicated that the level of 0.1 mg/kg could be achieved with good agricultural and manufacturing practices. Other Delegations stated that levels of less than 0.5 mg/kg were not technically achievable in developing countries in particular, and that levels ranging as high as 1 mg/kg were sometimes encountered. It was noted that the Draft Maximum

³ ALINORM 99/33A, para. 61.

⁴ Agreement on Technical Barriers to Trade, Article 2.4.

⁵ ALINORM 99/14, Appendices I, II and III; Circular Letter CL 1999/13-CPC; CX/CPC 00/3 (Comments of Cuba, Switzerland, Thailand, Netherlands, CAOBISCO); CX/CPC 00/3-Add.1 (Comments of Japan, European Community); CRD 1 (Comments of India); CRD 2 (Comments of Canada); CRD 3 (Comments of Hungary); CRD 5 (Comments of The Philippines).

Limits for Lead in Food⁶ that had been submitted to the Commission for adoption included the limit of 0.1 mg/kg for vegetable fats.

12. In proposing this level, the Committee invited countries that had data on Lead levels in products obtained from good agricultural and manufacturing practices, to submit these data to the CCFAC to either confirm the level of 0.1 mg/kg, or to justify a higher level.

13. The Committee noted the comment of the Delegation of India that the reduction of the limit would have to be foreseen within a reasonable timeframe to allow for changes to agricultural, processing and production practices.

14. The Committee did not adopt a proposal from Switzerland to include a limit of 20 mg/kg for aliphatic and aromatic hydrocarbons originating from jute bags. Although recognizing the problem of the occurrence of these substances in cocoa products, the Committee also recognized that changes in the mode of packaging and transport that avoided the use of jute bags were coming into effect and that as a consequence the problem would diminish. The Committee agreed that it would be premature to include maximum limits, but encouraged countries to take further measures to reduce the presence of these substances in cocoa products.

Labelling (Section 6)

15. The Committee agreed to provide for the labelling of both “*cocoa butter*” and “*press cocoa butter*” according to the criteria specified in Section 2 of the Standard.

Status of the Proposed Draft Standard for Cocoa Butter

16. The Committee agreed to advance the revised Draft Standard for Cocoa Butter to Step 8 of the Codex Procedure for final adoption by the Commission. The full text of the revised Draft Standard is contained in Appendix II of this report.

B. DRAFT STANDARD FOR COCOA, COCOA (CACAO) MASS (COCOA/CHOCOLATE LIQUOR) AND COCOA CAKE FOR USE IN THE MANUFACTURE OF COCOA AND CHOCOLATE PRODUCTS (ALINORM 99/14, APPENDIX III)

Title and Scope

17. The Committee noted the opinions of those Delegations that wished to add synonyms for cocoa mass to the title of the standard to make reference specifically to *cocoa paste*, *unsweetened chocolate* and *bitter chocolate*. The Committee amended the Title and Scope of the standard to deal with the consequences of the introduction of the product *unsweetened chocolate* in the detailed sections of the standard dealing with composition and labelling.

Descriptions (Section 2)

18. The Committee agreed to include a reference to the possibility of roasting and the possibility of adding or removing constituents of the cocoa nib. The Delegation of Spain expressed its disagreement with the possibility of removal of cocoa constituents as this would allow for the removal of cocoa butter.

Essential Composition and Quality Factors (Section 3)

19. The Committee decided to separate the requirements for Cocoa Mass and Cocoa Cake in order to provide limits for the cocoa butter content of Cocoa Mass (47 to 60% m/m). The

⁶ ALINORM 01/12, Appendix XI “*Draft Maximum Limits for Lead at Step 8*”.

Committee agreed to remove the requirements for *Total Ash* and *Ash Insoluble in Hydrochloric Acid* for both Cocoa Mass and Cocoa Cake. The Delegation of The Netherlands noted that this would remove a useful control over the presence on mineral impurities in the products concerned.

Food Additives (Section 4)

20. The Committee had an extended discussion on the relationship between the food additives provisions in commodity standards and those in the General Standard for Food Additives (GSFA). It was noted that the GSFA was a “work in progress” and that many specific food and food additive combinations had yet to be finalized. For the time being, the food additive provisions in Codex Standards were being included in the GSFA as the appropriate provisions for the commodities covered by Codex commodity standards. When the GSFA was closer to completion, it would be necessary to rationalize the general provisions of the GSFA with specific provisions for commodity standards, taking into account the technological needs for the food additives.

21. The Delegation of Germany expressed its reservation concerning the use of artificial flavours, and the Delegation of Italy expressed the opinion that it would like to include artificial flavours in a separate section.

22. The Committee agreed to add Magnesium Oxide (INS 530) to the list of Acidity Regulators and Polyglycerol Esters of Interesterified Ricinoleic Acid (INS 476) to the list of Emulsifiers.

23. The Observer from the European Community stated that as the products covered by the standard were intermediate products for further manufacturing, there should either be no need to specify maximum limits or that the maximum limits should be those expressed on the finished product basis. The Committee agreed that the numeric levels given should represent the level in the finished cocoa or chocolate product.

Contaminants (Section 5)

24. The Committee, noting its discussion in relation to Cocoa Butter (see paras. 11-13 above), decided to reduce the level for Lead to 1 mg/kg in these products and invited countries that had data on Lead levels, to submit these data to the CCFAC.

Labelling (Section 7)

25. The Committee agreed to include a reference to the use of the terms *Cocoa Paste*, *Unsweetened Chocolate*, and *Bitter Chocolate* as synonyms for Cocoa (Cacao) Mass and Cocoa/Chocolate Liquor provided that this was acceptable under the requirements of the legislation in the importing country.

Methods of Analysis and Sampling

26. The Committee agreed to add a method for the determination of Fat Content and deleted the methods for the determination of Total Ash and Ash Insoluble in Hydrochloric Acid.

Status of the Proposed Draft Standard for Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake

27. The Committee agreed to advance the revised Draft Standard for Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake to Step 8 of the Codex Procedure for final adoption by the Commission. The full text of the revised Draft Standard is contained in Appendix III of this report.

C. DRAFT STANDARD FOR COCOA POWDERS (COCOAS) AND DRY COCOA-SUGAR MIXTURES (ALINORM 99/14, APPENDIX IV)

Title and Scope

28. The Committee amended the Title and Scope to indicate that the products were dry mixtures of cocoa and sugars, not only sucrose.

Essential Composition and Quality Factors (Section 3)

29. The Committee had an extended debate on the Moisture Content of the products covered by the Standard. Several Delegations proposed raising the level of moisture content to 9% m/m to take into account the absorption of moisture during transport, storage and handling before the point of sale to the consumer. Other Delegations proposed a reduction of the moisture content to limit the potential for microbial or mould growth, but data were not available to indicate what level would be required for this purpose. The Committee agreed to retain the current proposed limit of 7% m/m and removed the square brackets surrounding this provision.

30. In order to reflect the Committee's decision concerning the use of sugars other than sucrose, it was agreed to use the term Dry Mixtures of Cocoa and Sugars in place of Cocoa-Sugar Mixtures (Section 3.1.2).

31. The Committee also discussed the differentiation of the products covered by the standard by their cocoa butter content, with some Delegations indicating that the term "*fat-reduced*" applied to products of less than 20% cocoa butter, and other indicating that the term applied to products of less than 10% cocoa butter. Some concerns were expressed about the use of descriptors that might be misleading to consumers. In order to avoid a situation where the same product could be marketed under two competing designations, the Committee decided to establish a three-tier structure as follows:

- Cocoa powder (and synonyms): more than 20% m/m cocoa butter;
- Fat-reduced cocoa powder (and synonyms): between 10% and 20% m/m cocoa butter;
- Highly fat-reduced cocoa powder (and synonyms): less than 10% cocoa butter.

32. It was noted that the term "Drinking Chocolate" ("Chocolat de ménage en poudre") was an acceptable synonym for Sweetened Cocoa Powder in both the full-fat and fat-reduced forms.

33. The Committee decided to present all possible combinations of products depending on their cocoa butter and cocoa powder contents in a tabular form.

34. The Committee decided to retain the definition of the product "*Chocolate Powder*", but amended the minimum cocoa powder content to 32% m/m on the whole product, or 29% on a dry matter basis.

Food Additives (Section 4)

35. The Delegation of Japan submitted a list of food additives in writing and it was recommended to send data on technological justification for the use of such additives to the Codex Committee on Food Additives and Contaminants. The Japan's list is included as Annex VI to this report.

36. The Committee noted the reservation of the Delegation of Germany concerning the use of artificial flavours in these products.

37. The Committee agreed to delete the Anticaking Agent Potassium Aluminium Silicate (INS 555) as recommended by the CCFAC.

38. The Committee agreed to add the following substances to the list of food additives:

- Acidity Regulators: Magnesium Oxide (INS 350) and Calcium Hydroxide (INS 526)
- Emulsifiers: Polyglycerol Esters of Interesterified Ricinoleic Acid (INS 476)
- Bulking Agents: Polydextroses A and N (INS 1200)
- Sweeteners: Acesulfame Potassium (INS 950), Aspartame (INS 951), Sucralose (INS 955), Sodium Saccharin (INS 954), Thaumatin (INS 957)

39. The Committee noted that the inclusion of high-intensity sweeteners in the list of food additives would require additional labelling provisions to ensure that consumers were fully informed of the nature of the products concerned (see below, para. 42). The Delegation of Canada noted that Sodium Saccharin was not allowed for use in that country as a food additive.

40. The Committee agreed that all numeric values given in the list of food additives should refer to the concentration in the finished product. It was further noted that the revised list of food additives would need to be submitted to the CCFAC for endorsement of the changes made to the list.

Contaminants (Section 5)

41. The Committee, noting its discussion in relation to Cocoa Butter (see paras. 11-13 above), decided to reduce the level for Lead to 1 mg/kg in these products and invited countries that had data on Lead levels, to submit these data to the CCFAC.

Labelling (Section 7)

42. The Committee agreed to simplify the provisions concerning the Name of the Food for Dry Mixtures of Cocoa and Sugars by making direct reference to the names given in the table of descriptions in Section 3.1.2.

43. In light of its decision to allow the use of artificial sweeteners, the Committee agreed to include two statements under the Section on Labelling; the first to require that when artificial sweeteners were used to replace all or part of the sugars component, the word *Sugar* or its equivalent should not form part of the Name of the Food but should be replaced in those languages which required it, by the term “*Sweetened*”. A second statement was included to require that the term “artificially sweetened” or an equivalent declaration be used in association with the Name of the Food.

44. The Committee agreed that the declaration of minimum cocoa powder content (whether full-fat, fat-reduced, or highly fat-reduced) be declared on the label in accordance with Section 5.1.1 of the General Standard for the Labelling of Prepackaged Foods.

Methods of Analysis and Sampling (Section 8)

45. The Committee agreed to up-date the references to methods for Determination of Cocoa Butter and Determination of Moisture and to delete reference to methods for which there were no criteria established in the standard. It was noted that there was no current method for the determination of cocoa powder (whether full-fat, fat-reduced, or highly fat-reduced), but the Committee decided to retain the possibility of the development of such a method in the future to enable officials to determine compliance with the provisions of the standard.

Status of the Proposed Draft Standard for Cocoa Powders (Cocoas) and Dry Mixtures of Cocoa and Sugars

46. The Committee agreed to advance the revised Draft Standard for Cocoa Powders (Cocoas) and Dry Mixtures of Cocoa and Sugars to Step 8 of the Codex Procedure for final adoption by the Commission. The full text of the revised Draft Standard is contained in Appendix IV of this report.

CONSIDERATION OF THE PROPOSED DRAFT REVISED STANDARD FOR CHOCOLATE AND CHOCOLATE PRODUCTS AT STEP 4⁷ (Agenda Item 4)

TITLE AND SCOPE

47. The Committee agreed to simplify the Scope of the Standard based on a proposal provided by the Delegation of Malaysia in its written comments.

DESCRIPTION AND ESSENTIAL COMPOSITION AND QUALITY FACTORS (SECTION 2)

2.1 Chocolate Types

48. The Committee discussed the nature of the edible foodstuffs that may be added to chocolate to form chocolate products. It was noted that the foodstuffs could be in the nature of particulate products (e.g., fruit pieces or nuts) or homogeneous products such as nut pastes. Several suggestions were made to clarify this in the Description, but it was agreed to retain the current wording of the paragraph.

Vegetable fats other than cocoa butter

49. The Committee discussed the proposal to admit the use of up to 5% of vegetable fats other than cocoa butter in the finished product under certain conditions. The Delegation of France, speaking on behalf of the Members of the European Union present at the Session, supported the proposal which it indicated was consistent with recent changes in European legislation, but indicated that the inclusion of such a provision was conditional on the introduction of suitable labelling provisions and an assurance that only suitable vegetable fats would be used. This position was supported by a number of Delegations, including those of Benin and Burkina Faso. These Delegations noted that the proposal as presented fulfilled the conditions set out by the Delegation of Côte d'Ivoire at the Committee's 17th Session⁸.

50. Several other Delegations, including those of Canada, India and the USA, indicated that national legislation did not, at present, allow the use of vegetable fats other than cocoa butter, but that they could support the proposal in the interest of international trade. The Delegation of Canada stated however that there was no consensus on this issue by the Chocolate industry in Canada. Some other Delegations, including Japan, stated that there should be no quantitative restriction to the use of edible vegetable fats and oils in the products covered by the standard in order to incorporate modern technology, to create innovative Chocolate products, and to prevent melting and fat bloom in Chocolate products.

51. The Delegation of Cameroon, supported by the representative of COPAL, stated that the proposal represented a negative social and economic step for cocoa-producing countries. They

⁷ ALINORM 99/14, Appendix V; CL 1998/43-CPC; CX/CPC 00/4 (Comments of Brazil, Cuba, Japan, Mexico, Spain, Thailand, United Kingdom, CAOBISCO); CX/CPC 00/4-Add.1 (Comments of Italy, Republic of Korea, Malaysia, CAOBISCO); CX/CPC 00/4-Add.2 (Comments of Japan, European Community); CRD 1 (Comments of India); CRD 2 (Comments of Canada); CRD 3 (Comments of Hungary); CRD 4 (Comments of The Philippines).

⁸ ALINORM 99/14, para. 12.

noted that due to unfulfilled market expectations in importing countries there was considerable over-production of cocoa beans and that the application of the present proposal would aggravate the situation. They stated that the addition of vegetable fats would give rise to a range of products that could no longer be considered as “chocolate” in the sense of the traditional use of the term.

52. The Representative of COPAL also raised the question of the availability of suitable methods of analysis to ensure compliance with the proposed 5% limit. The Delegation of the United Kingdom stated that such methods were available and had been shown to be precise and reliable when used in combination with normal food inspection procedures. The Delegation claimed that these methods were accurate to $\pm 0.3\%$. Copies of published methods were provided to delegates for information.⁹ The Representative of COPAL reserved the opinion of that organization pending review of the methods.

53. The Committee decided to remove the square brackets from the proposal to allow the use of up to 5% vegetable fats other than cocoa butter. The Representative of COPAL expressed the strong reservation of that organization.

54. The Committee had an extended discussion on that nature of the vegetable fats that could be used on chocolate and chocolate products as described above. Several Delegations and the Representatives of the EC and COPAL stressed that the fats used should be technically compatible with cocoa butter, should be from specified sources processed under specific conditions. Other Delegations stated that manufacturers should have the flexibility of choice to enable them to meet differing market requirements and climatic conditions. The Committee agreed to a compromise, proposed by Canada, to leave the specific rules governing the choice of vegetable fats to national legislation, thereby meeting local traditions and cultural expectations.

55. Finally the Committee discussed the labelling that would be required in order implement the introduction of the use of vegetable fats. Although some Delegations were of the opinion that listing in the List of Ingredients would normally be sufficient, the Committee recognized that the introduction of the use of 5% of vegetable fat was based on a more general compromise that included the need for labelling. The Committee agreed to a compromise text that required the addition of vegetable fats to be indicated clearly on the label in association with the name or representation of the food, but leaving to national authorities the precise manner of the declaration.

Specific Chocolate Types

56. It was noted that the product *Unsweetened Chocolate* had been removed from the standard and included in the Draft Standard for Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake (see para. 17 above). All references to this product were consequently deleted from the text.

57. Several Delegations, including Japan, proposed a simplification of the standard to provide only for the major general types of products moving in international trade, namely Chocolate, Milk Chocolate and Cocoa Butter Confectionery (White Chocolate). It was also suggested that this list should be extended to cover Filled Chocolate. The Committee examined these proposals in detail and considered which among the individual products named in the standard should be retained and which should be deleted. The Committee finally agreed that all products of importance to trade for

⁹ These were:

Macarthur, R., C. Crews and P. Brereton *An improved method for the measurement of added vegetable fats in chocolate*. Food Additives and Contaminants Vol 17, No. 8, pp 643-664 (2000); and

Lipp, M. and E. Anklam: *Review of cocoa butter and alternative fats for use in chocolate – Part B. Analytical approaches for identification and determination*. Food Chemistry, Vol.62 No.1 pp 99-108 (1998).

Member countries should be included specifically. Specific provisions Skimmed Milk Chocolate, Cream Chocolate and Cocoa Butter Confectionary Vermicelli were deleted.

Sweet Chocolate

58. The Committee deleted the alternative designation “Plain” in order to avoid confusion with other chocolates types.

Milk Chocolate

59. The Committee considered the meaning of the term *milk solids* and agreed that the minimum addition of milk solids referred to the addition of milk ingredients in their natural proportions except that milk fat may be added or removed. Nevertheless, the Committee could not agree on the minimum addition to be specified in the standard, with some Delegations proposing 12% and some 14%. Similarly, some Delegations proposed a higher minimum of milk fat (3.5%), while others proposed retaining the lower level contained in the proposed draft (2.5%). The Committee agreed to a formulation that would allow the setting of minimum values by national authorities within the ranges 12% to 14 % for milk solids, and 2.5% to 3.5% for milk fat.

60. The Committee agreed that Milk Chocolate with a High Milk Content should be included in the standard under the name “Family Milk Chocolate” (Chocolat de Ménagement au lait).

61. A new definition for Milk Couverture Chocolate was included.

Cocoa Butter Confectionary/White Chocolate

62. The Committee agreed to a formulation that would allow the setting of minimum values for milk fat by national authorities within the range 2.5% to 3.5%.

Vermicelli and Flakes

63. The Committee noted the need for designations for certain products of significance in regional trade and proposed by the Delegations of Brazil, Spain and Venezuela and included the names of these products as alternatives.

Filled Chocolate

64. Several Delegations, including Japan and India, raised the problem of the correct interpretation of the sentence in the Definition that states: “Filled Chocolate does not include Flour Confectionary, Pastry, Biscuit or Ice Cream Products” and suggested its deletion. Other Delegations pointed out that this exclusion was required to avoid confusion with Filled Chocolate and other products covered or enrobed with chocolate but which did not meet the essential composition requirements. It was pointed out that such products could include the use of the word “chocolate” in their name under the conditions of Section 6.1.8 of the standard. On this basis, it was agreed to retain the sentence.

Other Chocolate Products

65. The Committee agreed to the use of the term “Praline” as a synonym for “A Chocolate”. The corresponding term in French was identified as “Bonbon de chocolat/Praline”.

66. In reference to the definition of *Gianduja Chocolate*, the Committee noted a proposal to include a maximum limit for the addition of hazelnut to 40% of the total product. It was noted however that this was a requirement established in Section 2.1 and which covered all products; a specific reference in the definition for Gianduja Chocolate was therefore considered redundant.

FOOD ADDITIVES (SECTION 3)

67. The Committee agreed to include in this Section all of the Food Additives approved and endorsed in the standards for Cocoa Butter and for Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake, as these were raw material in the production of chocolate and chocolate products.

68. The Committee agreed to delete reference to certain sweeteners that had not as yet been evaluated by JECFA. On the other hand, it agreed to retain reference to the use of metallic Gold (INS 175) and Silver (INS 174) as it noted that these had been evaluated by JECFA in 1977 and were not considered to represent a health hazard. It also decided to delete the square brackets surrounding the addition of Antioxidants to Cocoa Butter Confectionary/White Chocolate (Section 3.6). The Delegation of France on behalf of the Members of the European Union and the Representative of the EC expressed a reservation on this matter.

69. On this basis the Committee agreed to forward the list of food additives to the CCFAC for endorsement. It noted that supplementary lists of additives, submitted by Japan in particular in written comments, would have to be considered in detail at the Committee's next session.

CONTAMINANTS (SECTION 4)

70. The Committee agreed to delete the contaminant provisions for Unsweetened Chocolate as a consequence of the removal of this product from the standard.

LABELLING (SECTION 6)**Name of the Food**

71. The Committee agreed to include the following names in square brackets as synonyms for Chocolate as defined in Section 2.1.1: '*bittersweet chocolate*', '*semi-sweet chocolate*', and '*dark chocolate*', to accommodate the common use of these names in some countries. The Delegations of Germany and the United Kingdom disagreed with this proposal.

72. The Delegation of Italy proposed the deletion of the first part of Section 6.1.2 in order not to complicate the common names of foods and to delete Section 6.1.8 entirely. The Committee agreed to discuss these matters at its next session.

73. As noted above (see para. 54), the Committee included specific wording covering the labelling of products to which vegetable fats other than cocoa butter had been added.

METHODS OF ANALYSIS AND SAMPLING (SECTION 7)

74. The Committee agreed to include a reference to a suitable method for the detection/determination of vegetable fats, with the method yet to be identified, and deleted references to methods for the determination of sugars and total ash.

STATUS OF THE PROPOSED DRAFT STANDARD FOR CHOCOLATE AND CHOCOLATE PRODUCTS

75. The Committee, noting that considerable progress had been made on the most difficult issues surrounding the standard, agreed to advance it for consideration by the Commission at Step 5 of the Codex Procedure. The full text of the Proposed Draft Standard is given in Appendix V of this report.

OTHER BUSINESS AND FUTURE WORK (Agenda Item 5)

76. There was no other business. The Committee noted that its future work would consist of the finalization of the Proposed Draft Standard for Chocolate and Chocolate Products.

DATE AND PLACE OF THE NEXT SESSION (Agenda Item 6)

77. The Committee noted that its next Session would be held in Switzerland at a date and place to be agreed upon by the Swiss and Codex Secretariats.

ANNEX I

SUMMARY STATUS OF WORK

Subject	Step	Action by	Reference in ALINORM 01/20
Draft Standard for Cocoa Butter	8	CAC 24 th Session	Para. 16 and Appendix II
Draft Standard for Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake	8	CAC 24 th Session	Para. 27 and Appendix III
Draft Standard for Cocoa Powders (Cocoas) and Dry Mixtures of Cocoa and Sugars	8	CAC 24 th Session	Para. 46 and Appendix IV
Proposed Draft Standard for Chocolate and Chocolate Products	5	CAC 24 th Session CPC 19 TH Session	Para. 75 and Appendix V
Lead levels in Standards	For endorsement	CCFAC	Paras. 11-13 ; 24 and 40
Food additives lists	For endorsement	CCFAC	Paras. 10, 20, 40 and 69 and Appendix VI

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APPENDIX II

DRAFT REVISED STANDARD FOR COCOA BUTTER**(Advanced at Step 8 of the Procedure)****1 SCOPE**

This standard applies exclusively to cocoa butter used as ingredient in the manufacture of chocolate and chocolate products.

2 DESCRIPTION**2.1 DEFINITION OF COCOA BUTTER**

Cocoa butter is the fat obtained from cocoa beans with the following characteristics:

- free fatty acid content (expressed as oleic acid):	not more than 1.75% m/m
- unsaponifiable matter:	not more than 0.7% m/m, except in the case of press cocoa butter which shall not be more than 0.35% m/m

3 FOOD ADDITIVES**3.1 PROCESSING AID**

	Maximum Level
Hexane (62°C - 82°C)	1 mg/kg

4 CONTAMINANTS**4.1 HEAVY METALS**

	Maximum Level
Lead (Pb)	0.1 mg/kg

5 HYGIENE

5.1 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* — CAC/RCP 1-1969, Rev. 3-1997.

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 shall not contain any substances originating from microorganisms in amounts which may represent a hazard to health.

5.4 When tested by appropriate methods of sampling and analysis, the products shall be free from microorganisms in amounts which may represent a hazard to health.

6 LABELLING

In addition to the *Codex General Standard for Labelling of Prepackaged Foods* — CODEX STAN 1-1985, Rev.1-1991 — the following apply:

6.1 NAME OF THE PRODUCT

6.1.1 *Cocoa Butter*

The product shall be “*Cocoa Butter*” except that the name “*Press Cocoa Butter*” may be used for products in conformity with the description for this product given in Section 2.1.

6.2 LABELLING OF NON-RETAIL CONTAINERS

Information required in Section 6.1 of this Standard and Section 4 of the Codex General Standard for the Labelling of Prepackaged Foods shall be given either on the container or in accompanying documents, except that the name of the product, lot identification, and the name and address of the manufacturer or packer shall appear on the 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 identifiable with the accompanying documents.

7 METHODS OF ANALYSIS AND SAMPLING

7.1 DETERMINATION OF FREE FATTY ACIDS

According to IUPAC (1987) 2.201.

7.2 DETERMINATION OF UNSAPONIFIABLE MATTER

According to IUPAC (1987) 2.401.

7.3 DETERMINATION OF LEAD

According to AOAC 934.07 or IUPAC Method (*Pure & Appl. Chem.*, **63**).

APPENDIX III

**DRAFT REVISED STANDARD FOR COCOA (CACAO) MASS
(COCOA/CHOCOLATE LIQUOR) AND COCOA CAKE**

(Advanced at Step 8 of the Procedure)

1 SCOPE

This standard applies to Cocoa (Cacao) Mass or Cocoa/Chocolate Liquor, and Cocoa Cake, as defined, for the use in the manufacture of cocoa and chocolate products. These products may also be sold directly to the consumer.

2 DESCRIPTIONS**2.1 COCOA (CACAO) MASS (COCOA/CHOCOLATE LIQUOR)**

Cocoa (Cacao) Mass or Cocoa/Chocolate Liquor is the product obtained from cocoa nib, which is obtained from cocoa beans of merchantable quality which have been cleaned and freed from shells as thoroughly as is technically possible with/without roasting, and with/without removal or addition of any of its constituents.

2.2 COCOA CAKE

Cocoa Cake is the product obtained by partial or complete removal of fat from cocoa nib or cocoa mass.

3 ESSENTIAL COMPOSITION AND QUALITY FACTORS**3.1 COCOA MASS (COCOA/CHOCOLATE LIQUOR)**

Cocoa Shell and Germ	not more than 5% m/m calculated on the fat-free dry matter or not more than 1.75% calculated on an alkali free basis (for Cocoa Shell only)
Cocoa Butter	47-60% m/m

3.2 COCOA CAKE

Cocoa Shell and Germ	not more than 5% m/m calculated on the fat-free dry matter. or not more than 1.75% calculated on an alkali free basis (for Cocoa Shell only)
Cocoa Butter	47-60% m/m

4 FOOD ADDITIVES

Only those food additives listed below may be used and only within the limits specified.

4.1 ACIDITY REGULATORS

	Maximum Level
503(i) Ammonium carbonate	Limited by GMP
527 Ammonium hydroxide	
503(ii) Ammonium hydrogen carbonate	
170(i) Calcium carbonate	
330 Citric acid	
504(i) Magnesium carbonate	
528 Magnesium hydroxide	
530 Magnesium oxide	
501(i) Potassium carbonate	
525 Potassium hydroxide	
501(ii) Potassium hydrogen carbonate	
500(i) Sodium carbonate	
524 Sodium hydroxide	
500(ii) Sodium hydrogen carbonate	
526 Calcium hydroxide	
338 Orthophosphoric acid	2.5 g/kg expressed as P ₂ O ₅ in finished cocoa and chocolate products
334 L-Tartaric acid	5 g/kg in finished cocoa and chocolate products

4.2 EMULSIFIERS

	Maximum Level
471 Mono- and diglycerides of edible fatty acids	Limited by GMP
322 Lecithin	
442 Ammonium salts of phosphatidic acids	10 g/kg in finished cocoa or chocolate products
476 Polyglycerol esters of interesterified ricinoleic acid	5 g/kg in finished cocoa or chocolate products

4.3 FLAVOURING AGENTS

Natural and artificial flavours, except those which reproduce the flavour of chocolate or milk

Vanillin

Ethyl vanillin

Maximum Level

Limited by GMP

5 CONTAMINANTS**5.1 HEAVY METAL****Maximum Level**

Lead

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 - CAC/RCP 1-1969, Rev. 3-1997*.

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

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

(a) shall be free from microorganisms capable of development under normal conditions of storage; and

(b) shall not contain any substances originating from microorganisms in amounts which may represent a hazard to health.

7 LABELLING

In addition to the *Codex General Standard for Labelling of Prepackaged Foods - CODEX STAN 1-1985, Rev.1-1991* - the following apply:

7.1 NAME OF THE PRODUCT

7.1.1 The name used to describe the product defined under Section 2.1 and complying with provisions of Section 3.1 of the Standard include “*Cocoa (Cacao) Mass*”, “*Cocoa/Chocolate Liquor*”, “*Cocoa Paste*”, “*Unsweetened Chocolate*” and “*Bitter Chocolate*”.

In the case of products traded internationally, the name of the product shall be acceptable to the importing authorities.

7.1.2 The name of the product described under Section 2.2 and complying with provisions of Section 3.2 of the Standard shall be: “*Cocoa Cake*”.

7.2 LABELLING OF NON-RETAIL CONTAINERS

Information required in Section 7.1 of this Standard and Section 4 of the Codex General Standard for the Labelling of Prepackaged Foods shall be given either on the container or in accompanying documents, except that the name of the product, lot identification, and the name and address of the manufacturer or packer shall appear on the 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 identifiable with the accompanying documents.

8 METHODS OF ANALYSIS AND SAMPLING

8.1 DETERMINATION OF COCOA SHELL

According to AOAC 968.10 and 970.23.

8.2 DETERMINATION OF FAT CONTENT

According to AOAC 963.15 or IOCCC 14 (1972).

8.3 DETERMINATION OF LEAD

According to AOAC 986.15 (Codex general method).

APPENDIX IV**DRAFT REVISED STANDARD FOR COCOA POWDERS (COCOAS) AND
DRY MIXTURES OF COCOA AND SUGARS****(Advanced at Step 8 of the Procedure)****1 SCOPE**

This standard applies to cocoa powders (cocoas) and dry mixtures of cocoa and sugars intended for direct consumption.

2 DESCRIPTION**2.1 COCOA PRODUCTS**

2.1.1 *“Cocoa Powder”* and *“Fat-reduced Cocoa Powder”* and *“Highly Fat-reduced Cocoa Powder”* are the products obtained from cocoa cake (Cf. Standard for Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake) transformed into powder.

3 ESSENTIAL COMPOSITION AND QUALITY FACTORS**3.1 ESSENTIAL COMPOSITION****3.1.1 *Moisture Content***

Not more than 7% m/m

3.1.2 Cocoa Powder and Dry Mixtures of Cocoa and Sugars

		COCOA BUTTER CONTENT (as a minimum cocoa powder content on a dry matter basis)		
		³ 20% m/m	³ 10% m/m but < 20% m/m	< 10% m/m
COCOA POWDERS ONLY		Cocoa Powder	Fat-Reduced Cocoa Powder	Highly Fat reduced Cocoa Powder
COCOA POWDER CONTENT IN DRY MIXTURES	Not < 25% m/m	Sweetened Cocoa, <u>or</u> Sweetened Cocoa Powder, <u>or</u> Drinking Chocolate	Sweetened Cocoa, Fat-reduced, <u>or</u> Sweetened Cocoa Powder, Fat-reduced, <u>or</u> Fat-Reduced Drinking Chocolate	Sweetened Cocoa, Highly Fat-reduced <u>or</u> Sweetened Cocoa Powder, Highly Fat-reduced <u>or</u> Highly Fat-Reduced Drinking Chocolate
	Not < 20% m/m	Sweetened Cocoa Mix, <u>or</u> Sweetened Mixture with Cocoa	Sweetened Cocoa Mix, Fat-reduced, <u>or</u> Sweetened Mixture with Cocoa, Fat-reduced:	Sweetened Cocoa Mix, Highly Fat-reduced <u>or</u> Sweetened Mixture with Cocoa, Highly Fat-reduced
	< 20% m/m	Sweetened Cocoa-flavoured Mix	Sweetened Cocoa-flavoured Mix, Fat-reduced	Sweetened Cocoa-flavoured Mix, Highly Fat-reduced

3.1.3 Chocolate Powder

Chocolate Powder: mixture of cocoa powder and sugars and/or sweeteners, containing not less than 32% m/m cocoa powder (29% m/m on a dry matter basis).

3.2 OPTIONAL INGREDIENTS

Spices

Salt (Sodium chloride)

4 FOOD ADDITIVES

4.1 ACIDITY REGULATORS

	Maximum level
503(i) Ammonium carbonate	
503(ii) Ammonium hydrogen carbonate	
527 Ammonium hydroxide	
170(i) Calcium carbonate	
330 Citric acid	
504(i) Magnesium carbonate	
528 Magnesium hydroxide	Limited by GMP
530 Magnesium Oxide	
501(i) Potassium carbonate	
501(ii) Potassium hydrogen carbonate	
525 Potassium hydroxide	
500(i) Sodium carbonate	
500(ii) Sodium hydrogen carbonate	
524 Sodium hydroxide	
526 Calcium hydroxide	
338 Orthophosphoric acid	2.5 g/kg, expressed as P ₂ O ₅ , on the cocoa fraction of the finished product
334 L-Tartaric acid	5 g/kg on the cocoa fraction of the finished product

4.2 EMULSIFIERS

471 Mono- and di-glycerides of edible fatty acids	Limited by GMP
322 Lecithin	
476 Polyglycerol esters of interesterified ricinoleic acid	5 g/kg on the finished product
442 Ammonium salts of phosphatidic acids	10 g/kg on the finished product
473 Edible sucrose esters of fatty acids ¹	10 g/kg on the finished product

4.3 FLAVOURING AGENTS

	Maximum Level
Natural and artificial flavours, except those which reproduce the flavour of chocolate or milk	Limited by GMP
Vanillin	Limited by GMP
Ethyl vanillin	

4.4 ANTI-CAKING AGENTS

	Maximum Level
559 Aluminium silicate	
552 Calcium silicate	
553(i) Magnesium silicate	
553(ii) Magnesium trisilicate	10 g/kg on Dry Mixtures of Cocoa and Sugars
553(iii) Talc	
554 Sodium aluminosilicate	
551 Silicon dioxide, amorphous	
341(iii) Tricalcium phosphate	

¹ Temporarily endorsed.

4.5 BULKING AGENT

1200 Polydextroses A and N

	Maximum Level
1200 Polydextroses A and N	Limited by GMP

4.6 SWEETENERS

953 Isomalt (Isomaltitol)

966 Lactitol

421 Mannitol

965 Maltitol and maltitol syrup

420 Sorbitol and sorbitol syrup

967 Xylitol

	Maximum Level
953 Isomalt (Isomaltitol)	Limited by GMP
966 Lactitol	
421 Mannitol	
965 Maltitol and maltitol syrup	
420 Sorbitol and sorbitol syrup	

950 Acesulfame Potassium

350 mg/kg on finished product

951 Aspartame

3 g/kg on finished product

955 Sucralose

580 mg/kg on finished product

954 Sodium Saccharin

100 mg/kg: residue limit on finished product

957 Thaumatin

Limited by GMP on finished product

5 CONTAMINANTS**5.1 HEAVY METAL****Maximum level on the Cocoa Fraction**

Lead

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* (CAC/RCP 1-1969, Rev. 3-1997).

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 shall not contain any substances originating from microorganisms in amounts which may represent a hazard to health.

6.4 When tested by appropriate methods of sampling and analysis, the products shall be free from microorganisms in amounts which may represent a hazard to health.

7 LABELLING

In addition to the provisions of the *Codex General Standard for Labelling of Prepackaged Foods* — CODEX STAN 1-1985, Rev.1-1991 — the following apply:

7.1 NAME OF THE FOOD

7.1.1 *Cocoa Powders and Dry Mixtures of Cocoa and Sugars*

The descriptions of the products defined in Section 3.1.2 shall be used as the name of the food in each case.

7.1.2 *Chocolate powder*

The name of the product complying with Section 3.1.3 of the standard shall be: ‘*Chocolate Powder*’ (‘*Chocolat en poudre*’).

7.1.3 The words ‘*minimum cocoa powder (or fat-reduced cocoa powder or highly fat-reduced cocoa powder) content x%*’ shall be declared in accordance with dispositions of Section 5.1.1 of the Codex General Standard for Labelling of Prepackaged Foods, where required by national legislation.

7.1.4 *Sweeteners*

When sweeteners described in section 4.6 have been used to replace sugars, totally or partially, the word ‘*sugared*’, or equivalent, shall not appear in the name of the food: according to the language of the importing country, the term ‘*sweetened*’ or equivalent shall be used.

Where sweeteners have been added to the product, the term ‘*artificially sweetened*’ or ‘*with added sweeteners*’ or ‘*with sugars and added sweeteners*’ shall appear in close proximity to the name of the food.

7.1.5 National laws should only permit the use of names other than those given in 7.1.1 and 7.1.2. in countries where such names are traditional, fully understood by the consumer and not misleading or deceptive with respect to other categories of product provided that any product with less than 25% of total cocoa powder or fat-reduced cocoa powder content shall not bear the term "chocolate" in its designation.

8 METHODS OF ANALYSIS AND SAMPLING

8.1 DETERMINATION OF COCOA BUTTER

According to IOCCC 37 (1990) and IOCCC 14 (1972).

8.2 DETERMINATION OF COCOA POWDER, FAT REDUCED COCOA POWDER AND HIGHLY FAT-REDUCED COCOA POWDER

To be developed

8.3 DETERMINATION OF MOISTURE

According to AOAC 977.04 or IOCCC 26 (1988)-*Karl Fisher Method*.

8.4 DETERMINATION OF LEAD

According to AOAC 934.07.

APPENDIX V

**PROPOSED DRAFT STANDARD FOR CHOCOLATE
AND
CHOCOLATE PRODUCTS****(Advanced at Step 5 of the Procedure)****1 SCOPE**

The standard applies to all chocolate and chocolate products for sale to consumers. Chocolate and chocolate products shall be prepared from cocoa and cocoa materials with sugars and may contain sweeteners, milk products, flavouring substances and other food ingredients.

2 DESCRIPTION AND ESSENTIAL COMPOSITION FACTORS**2.1 CHOCOLATE TYPES**

Chocolate is the generic name for the homogenous products complying with the descriptions below and summarized in Table 1. 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 various chocolate products. These combined 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. Where required by the authorities having jurisdiction, the nature of the vegetable fats permitted for this purpose may be prescribed in applicable legislation.

2.1.1 *Chocolate*

Chocolate (or *bittersweet chocolate*, *semi-sweet chocolate*, or *dark 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 *Sweet Chocolate*

Sweet 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.

2.1.3 Couverture Chocolate

Couverture Chocolate shall contain, on a dry matter basis, not less than 35% total cocoa solids of which not less than 31% shall be cocoa butter and not less than 2.5% of fat-free cocoa solids.

2.1.4 Milk Chocolate types

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 a specified minimum of milk solids, referring to the addition of milk ingredients in their natural proportions except that milk fat may be added or removed, between 12% and 14% (including a minimum of milk fat between 2.5% and 3.5%) as applied by the authority having jurisdiction in accordance with applicable legislation.

2.1.4.2 Family Milk Chocolate

Family Milk Chocolate 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, referring to the addition of milk ingredients in their natural proportions except that milk fat may be added or removed, (including a minimum of 5% milk fat).

2.1.4.3 Milk Couverture Chocolate

Milk Couverture Chocolate shall contain, on a dry matter basis, not less than 25 % cocoa solids (including a minimum of 2.5% non-fat cocoa solids) and not less than 14% milk solids, referring to the addition of milk ingredients in their natural proportions except that milk fat may be added or removed, (including a minimum of 3.5% milk fat) and a total fat of not less than 31%.

2.1.5 Cocoa Butter Confectionery / White Chocolate

Cocoa Butter Confectionery / White Chocolate shall contain, on a dry matter basis, not less than 20% cocoa butter and not less than 14% milk solids, referring to the addition of milk ingredients in their natural proportions except that milk fat may be added or removed, (including a minimum milk fat in a range of 2.5% to 3.5% as applied by the authority having jurisdiction in accordance with applicable legislation).

2.2 VERMICELLI AND FLAKES (DROPS, SHAVINGS)

Vermicelli and Flakes (Drops, Shavings) 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 (Drops, Shavings)

Chocolate Vermicelli / Flakes (Drops, Shavings) 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 (Drops, Shavings)

Milk Chocolate Vermicelli / Flakes (Drops, Shavings) 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, referring to the addition of milk ingredients in their natural proportions except that milk fat may be added or removed, (including a minimum of 3% 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, , 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 or Praline (“Bonbon de Chocolat” or “Praline”)

A *Chocolate* or *Praline* 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*.

2.4.2 Gianduja Chocolates

2.4.2.1 Gianduja Chocolate (“Chocolat aux noisettes Gianduja”)

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 g of the product contain not less than 20 g of hazelnuts.

2.4.2.2 Milk Gianduja Chocolate (“*Chocolat au lait et aux noisettes Gianduja*”)

Milk Gianduja Chocolate is the product obtained, firstly, from milk chocolate having a minimum dry milk solids, referring to the addition of milk ingredients in their natural proportions except that milk fat may be added or removed, content of 10% and, secondly, from finely ground hazelnuts such that 100 g of the product contain not less than 15 g 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 2.1.2 of this Standard and a maximum of 18% m/m flour and/or starch.

TABLE 1 (1/2): 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)

PRODUCTS	CONSTITUENTS	Cocoa Butter	Fat-free Cocoa Solids	Total Cocoa Solids	Milk Fat	Total Milk Solids
2.1	CHOCOLATE TYPES					
<i>2.1.1</i>	<i>Chocolate</i>	≥ 18	≥ 14	≥ 35		
<i>2.1.2</i>	<i>Sweet Chocolate</i>	≥ 18	≥ 12	≥ 30		
<i>2.1.3</i>	<i>Couverture Chocolate</i>	≥ 31	≥ 2.5	≥ 35		
<i>2.1.4.</i>	<i>Milk Chocolate Types</i>					
<i>2.1.4.1</i>	<i>Milk Chocolate</i>		≥ 2.5	≥ 25	2.5-3.5	12-14
<i>2.1.4.2</i>	<i>Family Milk Chocolate</i>		≥ 2.5	≥ 20	≥ 5	≥ 20
<i>2.1.4.3</i>	<i>Milk Couverture Chocolate</i>		≥ 2.5	≥ 25	≥ 2.5	≥ 14
<i>2.1.5</i>	<i>Cocoa Butter Confectionery / White Chocolate</i>	≥ 20			2.5-3.5	≥ 14
2.2	VERMICELLI AND FLAKES (DROPS, SHAVINGS)					
<i>2.2.1</i>	<i>Chocolate Vermicelli/Flakes (Drops, Shavings)</i>	≥ 12	≥ 14	≥ 32		
<i>2.2.2</i>	<i>Milk Chocolate Vermicelli/Flakes (Drops, Shavings)</i>		≥ 2.5	≥ 20	≥ 3	≥ 12
2.3	FILLED CHOCOLATE (See Section 2.3)					

TABLE 1 (2/2): 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	Cocoa Butter	Fat-free Cocoa Solids	Total Cocoa Solids	Milk Fat	Total Milk Solids
PRODUCTS					
2.4 OTHER CHOCOLATE PRODUCTS					
2.4.1 A Chocolate or Praline (See Section 2.4.1)					
2.4.2 Gianduja Chocolates					
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 FOOD ADDITIVES

Only those food additives listed below may be used and only within the limits specified.

3.1 Alkalizing and neutralizing agents carried over as a result of processing cocoa materials in proportion to the maximum quantity as provided for.

3.2 ACIDITY REGULATORS

		Maximum Level
503(i)	Ammonium carbonate	Limited by GMP
527	Ammonium hydroxide	
503(ii)	Ammonium hydrogen carbonate	
170(i)	Calcium carbonate	
330	Citric acid	
504(i)	Magnesium carbonate	
528	Magnesium hydroxide	
530	Magnesium oxide	
501(i)	Potassium carbonate	
525	Potassium hydroxide	
501(ii)	Potassium hydrogen carbonate	
500(i)	Sodium carbonate	
524	Sodium hydroxide	
500(ii)	Sodium hydrogen carbonate	
526	Calcium hydroxide	
338	Orthophosphoric acid	
334	L-Tartaric acid	5 g/kg in finished cocoa and chocolate products

3.3 EMULSIFIERS

		Maximum Level	Products
471	Mono- and di-glycerides of fatty acids	GMP	Products described under 2.1 to 2.4
322	Lecithins		" "
422	Glycerol		" "

442	Ammonium salts of phosphatidic acids	10 g/kg		"	"
476	Polyglycerol esters interesterified recinoleic acid	5 g/kg	15 g/kg	"	"
491	Sorbitan monostearate	10 g/kg	in combination	"	"
492	Sorbitan tristearate	10 g/kg		"	"
435	Polyoxyethylene (20) sorbitan monostearate	10 g/kg			
3.4	FLAVOURING AGENTS		Maximum Level	Products	
3.4.1	Natural flavours as defined in the Codex Alimentarius, and their synthetic equivalents, except those which would imitate natural chocolate or milk flavours ¹		GMP	Products described under 2.1 to 2.4	
3.4.2	Vanillin		GMP	Products described under 2.1 to 2.4	
3.4.3	Ethyl vanillin		GMP	Products described under 2.1 to 2.4	
3.5	SWEETENERS				
950	Acesulfame K		500 mg/kg	Products described under 2.1 to 2.4	
951	Aspartame		2 000 mg/kg	"	"
952	Cyclamic acid and its Na and Ca salts		500 mg/kg	"	"
954	Saccharin and its Na and Ca salts		500 mg/kg	"	"
957	Thaumatococin			"	"
420	Sorbitol			"	"
421	Mannitol			"	"
953	Isomalt		GMP	"	"
965	Maltitol			"	"
966	Lactitol			"	"
967	Xylitol			"	"
959	Neohesperidine dihydrochalcone		100 mg/kg	"	"
3.6	GLAZING AGENTS		Maximum Level	Products	
414	Gum Arabic (Acacia gum)			Products described under 2.1 to 2.4	
440	Pectin			"	"
901	Beeswax, white and yellow		GMP	"	"
902	Candelilla wax			"	"
903	Carnauba wax			"	"

¹ Temporarily endorsed

904	Shellac		" "
3.7	ANTIOXIDANTS	Maximum Level	Products
304	Ascorbyl palmitate	200 mg/kg	Products described under 2.1.5. (White Chocolate)
319	Tertiary butylhydroquinone	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	"
3.8	COLOURS (FOR DECORATION PURPOSE ONLY)	Maximum Level	Products
175	Gold	GMP	Products described under 2.1 to 2.4
174	Silver	GMP	
3.9	BULKING AGENTS	Maximum Level	Products
1200	Polydextrose A and N	GMP	Products described under 2.1 to 2.4
3.10	PROCESSING AID	Maximum Level	
	Hexane (62°C - 82°C)	1 mg/kg	
4	CONTAMINANTS	Maximum Level	
4.1	Arsenic (As)	0.5 mg/kg	
4.2	Copper (Cu)	20 mg/kg	
4.3	Lead (Pb)	1 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.3 - 1997*, 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 *Codex General Standard for the Labelling of Prepackaged Foods* — CODEX STAN 1-1985 - Rev. 1-1991, 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. The name of the product may be described with ‘*bittersweet chocolate*’, ‘*semi-sweet chocolate*’, and ‘*dark chocolate*’ as synonyms for *Chocolate*, as defined in Section 2.1.1,

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.]

The use of vegetable fats in addition to Cocoa butter in accordance with the provisions of Section 2.1 shall be indicated on the label in association with the name and/or the representation of the product. The authorities having jurisdiction may prescribe the specific manner in which this declaration shall be made.

6.1.3 *Cocoa Butter Confectionery / White Chocolate*

Product described under Section 2.1.5 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 or Praline* (Bonbon Chocolat *or* Praline)

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 required in Section 6 of this Standard and Section 4 of the Codex General Standard for the Labelling of Prepackaged Foods shall be given either on the container or in accompanying documents, except that the name of the product, lot identification, and the name and address of the manufacturer or packer shall appear on the 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 identifiable 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

All methods approved for the chocolate type used for the coating and those approved for the type of centre concerned.

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. (Karl Fischer method); or AOAC 931.04 or IOCCC 1-1952 (gravimetry).

7.10 DETERMINATION OF TOTAL FAT

According to AOAC 963.15.

7.11 DETERMINATION OF VEGETABLE FAT

To be developed.

APPENDIX VI

LIST OF FOOD ADDITIVES PROPOSED BY THE DELEGATION OF JAPAN FOR USE IN COCOA POWDERS (COCOAS) AND DRY MIXTURES OF COCOA AND SUGARS, AND RELATED PRODUCTS:

	EMULSIFIER	Maximum level
491	Sorbitan Monostearate	2 g/kg in combination in finished
492	Sorbitan Tristearate	
493	Sorbitan Monolaurate	
494	Sorbitan Monooleate	
495	Sorbitan Monopalmitate	
477	Propylene Glycol Esters Of Fatty Acids	5 g/kg in finished products
475	Polyglycerol Esters Of Fatty Acids	5 g/kg in finished products
412	Guar Gum	Limited by GMP in finished products
418	Gellan Gum	
466	Sodium Carboxymethyl Cellulose	
	STABILIZER	
400	Alginic Acid	Limited by GMP in finished products
407	Carrageenan and its Na, N, NH ₄ salts	
410	Carob Bean Gum, Locust Bean Gum	
413	Tragacanth Gum	
414	Gum Arabic, Arabic Gum, Acacia Gum	
415	Xanthan Gum	
416	Karaya Gum	
417	Tara Gum	
460	Cellulose	
	THICKENER	
	Modified Starches	
1400	Dextrins, Roasted Starch White And Yellow	Limited by GMP in finished products
1401	Acid-Treated Starch	
1402	Alkaline Treated Starch	
1403	Bleached Starch	
1404	Oxidized Starch	
1405	Starches, Enzyme-treated	