

### 28.3.1.13 A chocolate or a praline

The product in single-mouthful size, consisting of:

- Filled chocolate;
- A single chocolate or a combination or a mixture of chocolate, milk chocolate, family milk chocolate or white chocolate and other edible substances, provided that chocolate constitutes not less than 25%.

### 28.3.2 Optional ingredients

Other edible substances, such as nuts, fruits, biscuits, coffee, etc, may be added to chocolate products up to 40% of the total weight of the finished product. However the addition of animal fats and their preparations not deriving solely from milk is prohibited. The use of flours, granular or powdered starch is also prohibited, with the exception of chocolate *a la taza*.

Only those flavourings which do not mimic the taste of chocolate or of milk fat may be added to chocolate products.

### 28.3.3 Calculation of minimum amounts

For the minimum cocoa solids, the method of calculation imposed by the repealed Directive 73/241/EEC continues to be applied. The total dry cocoa solids content is calculated on the “noble” part of the product – that is “after the weight of the additions ... has been deducted”.

The minimum milk solids comes from the partial or total dehydration of whole milk, semi- or full-skimmed milk, cream, partly or wholly dehydrated cream, butter or milk fat. Hence substances remaining after milk fat or water has been removed should be in their natural proportions. Whey powder or derivatives such as permeates and protein fractions are excluded from the definition and are optional ingredients. Optional ingredients cannot be combined to reconstitute an ingredient, which could then be used to fulfil the milk solids requirement.

Lactose, together with other mono- and disaccharides, should be considered as being among the sugars.

### 28.3.4 Use of vegetable fats other than cocoa butter

Specified vegetable fats may be used in chocolate, to a maximum of 5%. The calculation is based on the sum of the compulsory ingredients: cocoa solids (+ milk solids) + sugars + vegetable fats and excludes optional ingredients. This point is particularly important for *gianduja* chocolate and chocolate *a la taza*.

The vegetable fats are, singly or in blends, cocoa butter equivalents (CBEs) and must comply with the following criteria:

- They are non-lauric vegetable fats, which are rich in symmetrical monounsaturated triglycerides of the type Palmitic-Oleic-Palmitic, Palmitic-Oleic-Stearic and Stearic-Oleic-Stearic acids.

- They are miscible in any proportion with cocoa butter, and are compatible with its physical properties (melting point and crystallisation temperature, melting rate, need for tempering phase).
- They are obtained only by the processes of refining and/or fractionation, which excludes enzymatic modification of the triglyceride structure.

In conformity with the above criteria, the following vegetable fats, obtained from the plants listed below, may be used:

- Illipe, Borneo tallow or Tengkawang (*Shorea* spp.);
- Palm-oil (*Elaeis guineensis*, *Elaeis olifera*);
- Sal (*Shorea robusta*);
- Shea (*Butyrospermum parkii*);
- Kokum gurgi (*Garcinia indica*);
- Mango kernel (*Mangifera indica*).

European countries may allow the use of coconut oil in chocolate used for the manufacture of ice cream and similar frozen products.

### 28.3.5 Industry initiatives

Swiss-based manufacturers of chocolate have played a major role in development of the art and technology of chocolate. To safeguard the reputation for quality Swiss chocolate, CHOCOSUISSE – Union de Fabricants Suisses de Chocolat (Association of Swiss Chocolate Manufacturers) – took steps in the 1970s to protect Swiss chocolatiers by trademarking, in the European Union, the United States and Canada, the terms “Swiss” and “Switzerland”, together with relevant symbols such as the Swiss flag (CHOCOSUISSE, 2001).

CHOPRABISCO – l’Association Royale Belge des Industries du Chocolat, de la Praline, du Biscuit et de la Confiserie (Royal Belgian Association of Chocolate, Pralines, Biscuit and Confectionery Industries) – introduced the “Belgian Chocolate Code”. Belgian chocolate must meet specific ingredient requirements, and refining and moulding must occur in Belgium. Chocolate that is not made entirely in Belgium should be labeled “Made with Belgian chocolate”.

### 28.3.6 Chocolate cigarettes

Council Recommendation 2003/54/EC on the prevention of smoking and on initiatives to improve tobacco control calls on Member States to prohibit “the sale of sweets and toys intended for children and manufactured with the clear intention that the product and/or packaging would resemble in appearance a type of tobacco product”.

## 28.4 United States of America

Title 21 of the Code of Federal Regulations Part 163 lays down the following standards for cocoa and chocolate products: