

It must be free from colours. The use of flavourings that imitate the flavour of chocolate, milk or butter is prohibited.

28.4.10 Use of vegetable fats other than cocoa butter

Standards are prescribed for “sweet cocoa and vegetable fat coating”, “sweet chocolate and vegetable fat coating” and “milk chocolate and vegetable fat coating”. In October 2006, the United States Food and Drug Administration was petitioned by Industry (including the Chocolate Manufacturers Association) to allow the use of vegetable fats other than cocoa butter in chocolate products. The petition was unsuccessful.

28.5 Canada

The Food and Drug Regulations, Part B, Division 4, concern cocoa and chocolate products and lay down the following definitions.

28.5.1 Cocoa powder

The product that is obtained by pulverising the remaining material from partially defatted cocoa liquor by mechanical means and contains not less than 10% cocoa butter.

28.5.2 Low fat cocoa powder

The product that is obtained by pulverising the remaining material from partially defatted cocoa liquor by mechanical means and contains less than 10% cocoa butter.

28.5.3 Cocoa liquor, unsweetened chocolate, bitter chocolate

The product obtained from the mechanical disintegration of the cocoa nib with or without removal or addition of any of its constituents and contains not less than 50% cocoa butter.

28.5.4 Chocolate, bittersweet chocolate, semi-sweet chocolate, dark chocolate

One or more of cocoa liquor, cocoa butter and cocoa powder combined with a sweetening ingredient. The product contains not less than 35% total cocoa solids, of which not less than 18% is cocoa butter and not less than 14% is fat-free cocoa solids.

28.5.5 Sweet chocolate

One or more of cocoa liquor, cocoa butter and cocoa powder combined with a sweetening ingredient. The product contains not less than 30% total cocoa solids, of which 18% is cocoa butter and 12% is fat-free cocoa solids.

28.5.6 Milk chocolate

One or more of cocoa liquor, cocoa butter and cocoa powder combined with a sweetening ingredient. The product contains not less than:

- 25% total cocoa solids, of which not less than 15% is cocoa butter and not less than 2.5% is fat-free cocoa solids;
- 12% total milk solids from milk ingredients;
- 3.39% milk fat.

It may contain less than 5% whey or whey products.

28.5.7 White chocolate

Contains the following combined together:

- Not less than 20% cocoa butter;
- Not less than 14% total milk solids from milk ingredients;
- Not less than 3.5% milk fat.

It may contain less than 5% whey or whey products.

28.6 BRIC markets

The emerging economies of Brazil, Russia, India and China represent opportunity for chocolate manufacturers, although Russia is already a significant consumer. Table 28.2 summarises the requirements in these countries.

28.7 Use of additives

A restricted number of additives may be used in chocolate products. It is always necessary to check the legislation in the markets where the products will be sold.

In respect of emulsifiers, the following are commonly employed:

- Sunflower or soya lecithin (321), in accordance with good manufacturing practice;
- Ammonium phosphatides (442), to a maximum of 10 g/kg;
- Polyglycerol polyricinoleate (476), to a maximum of 5 g/kg.

In the United States, the total amount of emulsifiers must not exceed 1% in sweet chocolate and milk chocolate and 1.5% in white chocolate. In Canada, the total amount of emulsifiers must not exceed 1.5% in all types of chocolate.

The use of sweeteners is often questioned given that standards often define chocolate products as mixtures of cocoa products and sugars or nutritive carbohydrate sweeteners. In Europe, the Standing Committee on the Food Chain and Animal Health has confirmed that the use of sweeteners such as polyols is possible in no-added-sugar products, provided these are labelled “with sweetener”. In the United States, products containing sweeteners could not be called by the standardised name.