

## SCHEDULE 1

Regulations 2, 3 and 6

## COCOA AND CHOCOLATE PRODUCTS AND THEIR RESERVED DESCRIPTIONS

Column 1 Reserved Descriptions	Column 2 Designated Products
1. Cocoa butter	The fat obtained from cocoa beans or parts of cocoa beans with the following characteristics: — — not more than 1.75 per cent free fatty acid content (expressed as oleic acid); and — for press cocoa butter, not more than 0.35 per cent unsaponifiable matter (determined using petroleum ether); or — for other cocoa butter, not more than 0.5 per cent unsaponifiable matter (so determined).
(a) (a) Cocoa powder or Cocoa	The product obtained by converting into powder cocoa beans which have been cleaned, shelled and roasted, and which contains not less than 20 per cent cocoa butter, calculated according to the weight of the dry matter, and not more than 9 per cent water.
(b) (b) Fat-reduced cocoa or Fat-reduced cocoa powder	Cocoa powder containing less than 20 per cent cocoa butter, calculated according to the weight of the dry matter.
(c) (c) Powdered chocolate or Chocolate in powder	The product consisting of a mixture of cocoa powder and sugars, containing not less than 32 per cent cocoa powder.
(d) (d) Drinking chocolate or Sweetened cocoa or Sweetened cocoa powder	The product consisting of a mixture of cocoa powder and sugars, containing not less than 25 per cent cocoa powder.
(e) (e) Fat-reduced drinking chocolate or Fat-reduced sweetened cocoa or Fat-reduced sweetened cocoa powder	The product consisting of a mixture of cocoa powder specified at item 2(b) and sugars, containing not less than 25 per cent of such cocoa powder.
(a) (a) Chocolate	(a) The product obtained from cocoa products and sugars which, subject to item 3(b), contains not less than 35 per cent total dry cocoa solids, including not less than 18 per cent cocoa butter and not less than 14 per cent of dry non-fat cocoa solids.
(b) (b) If “Chocolate” is supplemented by	(b) (b)
(i) “vermicelli” or “flakes”	(i) The product presented in the form of granules or flakes containing not less than 32 per cent total dry cocoa solids,

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Column 1 Reserved Descriptions	Column 2 Designated Products
	including not less than 12 per cent cocoa butter and not less than 14 per cent of dry non-fat cocoa solids.
(ii) “couverture”	(ii) The product containing not less than 35 per cent total dry cocoa solids, including not less than 31 per cent cocoa butter and not less than 2.5 per cent of dry non-fat cocoa solids.
(iii) “Gianduja” or one of the derivatives of “Gianduja”	(iii) The nut chocolate product obtained (1) from chocolate having a minimum total dry cocoa solids content of 32 per cent including a minimum dry non-fat cocoa solids content of 8 per cent, and (2) from finely ground hazelnuts in such quantities that 100 grams of the product contain not less than 20 grams and not more than 40 grams of hazelnuts; and to which may have been added— — milk or dry milk solids obtained by evaporation or both, in such proportion that the finished product does not contain more than 5 per cent dry milk solids; — almonds, hazelnuts and other nut varieties, either whole or broken, in such quantities that, together with the ground hazelnuts, they do not exceed 60 per cent of the total weight of the product.
(a) (a) Milk chocolate	(a) The product obtained from cocoa products, sugars and milk or milk products which, subject to item 4(b), contains— — not less than 25 per cent total dry cocoa solids; — not less than 14 per cent dry milk solids obtained by partly or wholly dehydrating whole milk, semi-skimmed or skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat; — not less than 2.5 per cent dry non-fat cocoa solids; — not less than 3.5 per cent milk fat; — not less than 25 per cent total fat (cocoa butter and milk fat).
(b) (b) If “Milk chocolate” is supplemented by—	(b) (b)
(i) “vermicelli” or “flakes”	(i) The product presented in the form of granules or flakes containing not less

<b>Column 1</b> <b>Reserved Descriptions</b>	<b>Column 2</b> <b>Designated Products</b>
	than 20 per cent total dry cocoa solids, not less than 12 per cent dry milk solids obtained by partly or wholly dehydrating whole milk, semi-skimmed or skimmed milk, cream or from partly or wholly dehydrated cream, butter or milk fat and not less than 12 per cent total fat (cocoa butter and milk fat).
(ii) “couverture”	(ii) The product containing a minimum total fat (cocoa butter and milk fat) content of 31 per cent.
(iii) “Gianduja” or one of the derivatives of “Gianduja”	(iii) The nut milk chocolate product obtained (1) from milk chocolate having a minimum content of 10 per cent dry milk solids, obtained by partly or wholly dehydrating whole milk, semi-skimmed or skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat and (2) from finely ground hazelnuts in such quantities that 100 grams of the product contain not less than 15 grams and not more than 40 grams of hazelnuts; and to which may have been added almonds, hazelnuts and other nut varieties, either whole or broken, in such quantities that, together with the ground hazelnuts, they do not exceed 60 per cent of the total weight of the product.
(c) (c) If “Milk” is replaced by—	(c) (c)
(i) “cream”	(i) The product containing a minimum milk fat content of 5.5 per cent.
(ii) “skimmed milk”	(ii) The product containing a milk fat content not greater than 1 per cent.
<b>5. Family milk chocolate or Milk chocolate</b>	The product obtained from cocoa products, sugars and milk or milk products which contains— <ul style="list-style-type: none"> <li>— not less than 20 per cent total dry cocoa solids;</li> <li>— not less than 20 per cent dry milk solids obtained by partly or wholly dehydrating whole milk, semi-skimmed or skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat;</li> <li>— not less than 2.5 per cent dry non-fat cocoa solids;</li> <li>— not less than 5 per cent milk fat;</li> </ul>

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<b>Column 1</b> <b>Reserved Descriptions</b>	<b>Column 2</b> <b>Designated Products</b>
	— not less than 25 per cent total fat (cocoa butter and milk fat).
6. White chocolate	The product obtained from cocoa butter, milk or milk products and sugars which contains not less than 20 per cent cocoa butter and not less than 14 per cent dry milk solids obtained by partly or wholly dehydrating whole milk, semi-skimmed or skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat, of which not less than 3.5 per cent is milk fat.
7. Filled chocolate or Chocolate with ... filling or Chocolate with ... centre	The filled product, the outer part of which consists of a product specified in column 2 of item 3, 4, 5 or 6 of this Schedule and constitutes not less than 25 per cent of the total weight of the product, but does not include any filled product, the inside of which consists of bakery products, pastry, biscuit or edible ice.
8. Chocolate a la taza	The product obtained from cocoa products, sugars, and flour or starch from wheat, rice or maize, which contains not less than 35 per cent total dry cocoa solids, including not less than 18 per cent cocoa butter and not less than 14 per cent dry non-fat cocoa solids, and not more than 8 per cent flour or starch.
9. Chocolate familiar a la taza	The product obtained from cocoa products, sugars, and flour or starch from wheat, rice or maize, which contains not less than 30 per cent total dry cocoa solids, including not less than 18 per cent cocoa butter and not less than 12 per cent dry non-fat cocoa solids, and not more than 18 per cent flour or starch.
10. A chocolate or A praline	The product in single mouthful size, consisting of:— (a) the product specified in column 2 of item 7 of this Schedule; or (b) a single chocolate or a combination or a mixture of chocolate within the meaning of any of the definitions specified in column 2 of items 3, 4, 5 and 6 of this Schedule and any other edible substance, provided that the chocolate constitutes not less than 25 per cent of the total weight of the product.

**Notes.**

1. —  
(1) Subject to regulation 3 and paragraph (2) of this Note, other edible substances may also be added to the designated chocolate products specified in column 2 of items 3, 4, 5, 6, 8 and 9 of this Schedule:

- Provided that this paragraph does not authorise the addition—
- (a) of animal fats and their preparations not deriving solely from milk; or
  - (b) of flours, granular and powdered starch other than in accordance with the definitions specified in column 2 of items 8 and 9 of this Schedule; or
  - (c) of other edible substances in a quantity exceeding 40 per cent of the total weight of the finished product.
- (2) Only those flavourings which do not mimic the taste of chocolate or of milk fat may be added to the designated products specified in column 2 of items 2, 3, 4, 5, 6, 8 and 9 of this Schedule.
2. —
    - (1) The minimum contents of the designated chocolate products specified in column 2 of items 3, 4, 5, 6, 8 and 9 of this Schedule shall be calculated after deduction of the weight of other edible substances provided for in Note 1 to this Schedule.
    - (2) In the case of the designated chocolate products specified in column 2 of items 7 and 10 of this Schedule, the minimum contents shall be calculated after deducting the weight of other edible substances provided for in Note 1 to this Schedule, as well as the weight of the filling.
    - (3) The chocolate contents of the designated chocolate products specified in column 2 of items 7 and 10 of this Schedule shall be calculated in relation to the total weight of the finished product, including its filling.
  3. In this Schedule, “sugars” includes sugars covered by Council Directive 2001/111/EC(1) and other sugars.

## SCHEDULE 2

Regulations 2 and 3

## AUTHORISED VEGETABLE FATS

1. Subject to the following paragraphs of this Schedule, the vegetable fats referred to in regulation 3 are, singly or in blends, cocoa butter equivalents and shall comply with the following criteria:—

- (a) they are non-lauric vegetable fats, which are rich in symmetrical monounsaturated triglycerides of the type POP, POST and StOST;
- (b) they are miscible in any proportion with cocoa butter, and are compatible with its physical properties (melting point and crystallisation temperatures, melting rate, need for tempering phase);
- (c) they are obtained only by the processes of refining or fractionation or both, which exclude enzymatic modification of the triglyceride structure.

2. In conformity with the criteria specified in paragraph 1 above, the following vegetable fats, obtained from the plants listed in the Table below, may be used:—

Usual name of vegetable fat	Scientific name of the plants from which the fats listed can be obtained
1. Illipe, Borneo tallow or Tengkawang	<i>Shorea</i> spp.
2. Palm-oil	<i>Elaeis guineensis</i>  <i>Elaeis olifera</i>
3. Sal	<i>Shorea robusta</i>
4. Shea	<i>Burtyrospermum parkii</i>
5. Kokum gurgi	<i>Garcinia indica</i>

(1) OJ L10, 12.1.2002, p.53.

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Usual name of vegetable fat	Scientific name of the plants from which the fats listed can be obtained
6. Mango kernel	<i>Mangifera indica</i>

3. Coconut oil may be used in chocolate for the manufacture of ice cream and similar frozen products.

4. In this Schedule—

“P” means palmitic acid;

“O” means oleic acid;

“St” means stearic acid.