

## ANNEX I

SALES NAMES, DEFINITIONS AND CHARACTERISTICS OF THE PRODUCTS  
A. SALES NAMES AND DEFINITIONS

## 1. Cocoa butter

designates the fat obtained from cocoa beans or parts of cocoa beans with the following characteristics:

— free fatty acid content (expressed as oleic acid):	not more than 1,75 %
— unsaponifiable matter (determined using petroleum ether):	not more than 0,5 %, except in the case of press cocoa butter, where it shall not be more than 0,35 %

## 2.

## (a) Cocoa powder, cocoa

designate the product obtained by converting into powder cocoa beans which have been cleaned, shelled and roasted, and which contains not less than 20 % cocoa butter, calculated according to the weight of the dry matter, and not more than 9 % water;

## (b) Fat-reduced cocoa, fat-reduced cocoa powder

designate cocoa powder containing less than 20 % cocoa butter, calculated according to the weight of the dry matter;

## (c) Powdered chocolate, chocolate in powder

designate the product consisting of a mixture of cocoa powder and sugars, containing not less than 32 % cocoa powder;

## (d) Drinking chocolate, sweetened cocoa, sweetened cocoa powder

designate the product consisting of a mixture of cocoa powder and sugars, containing not less than 25 % cocoa powder; these names shall be accompanied by the term 'fat-reduced' in the case where the product is fat-reduced as defined at (b).

## 3. Chocolate

## (a) designates the product obtained from cocoa products and sugars which, subject to (b), contains not less than 35 % total dry cocoa solids, including not less than 18 % cocoa butter and not less than 14 % of dry non-fat cocoa solids;

## (b) however, where this name is supplemented by the words:

— '*vermicelli*' or '*flakes*': the product presented in the form of granules or flakes must contain not less than 32 % total dry cocoa solids, including not less than 12 % cocoa butter and not less than 14 % of dry non-fat cocoa solids;

— '*couverture*': the product must contain not less than 35 % total dry cocoa solids, including not less than 31 % cocoa butter and not less than 2,5 % of dry non-fat cocoa solids;

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- ‘*Gianduja*’ (or one of the derivatives of the word ‘*gianduja*’) nut chocolate: the product must be 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 and not more than 40 g of hazelnuts. The following may be added:
    - (a) milk and/or dry milk solids obtained by evaporation, in such proportion that the finished product does not contain more than 5 % dry milk solids;
    - (b) almonds, hazelnuts and other nut varieties, either whole or broken, in such quantities that, together with the ground hazelnuts, they do not exceed 60 % of the total weight of the product.
4. Milk chocolate
- (a) designates the product obtained from cocoa products, sugars and milk or milk products, which, subject to (b) contains:
    - not less than 25 % total dry cocoa solids,
    - not less than 14 % dry milk solids obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat,
    - not less than 2,5 % dry non-fat cocoa solids,
    - not less than 3,5 % milk fat,
    - not less than 25 % total fat (cocoa butter and milk fat).
  - (b) However, where this name is supplemented by the words:
    - ‘*vermicelli*’ or ‘*flakes*’: the product presented in the form of granules or flakes must contain not less than 20 % total dry cocoa solids, not less than 12 % dry milk solids obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat, and not less than 12 % total fat (cocoa butter and milk fat),
    - ‘*couverture*’: the product must have a minimum total fat (cocoa butter and milk fat) content of 31 %,
    - ‘*Gianduja*’ (or one of the derivatives of the word ‘*gianduja*’) nut milk chocolate: the product must be obtained firstly from milk chocolate having a minimum content of 10 % of dry milk solids, obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream or from partly or wholly dehydrated cream, butter or milk fat and secondly from finely ground hazelnuts, in such quantities that 100 g of the product contain not less than 15 g and not more than 40 g of hazelnuts. Almonds, hazelnuts and other nut varieties may also be added, either whole or broken, in such quantities that, together with the ground hazelnuts, they do not exceed 60 % of the total weight of the product.
  - (c) Where in this name the word ‘milk’ is replaced by:
    - ‘*cream*’: the product must have a minimum milk fat content of 5,5 %,
    - ‘*skimmed milk*’: the product must have a milk fat content not greater than 1 %.

- (d) [<sup>F1</sup>The United Kingdom, Ireland and Malta may authorise the use in their territory of the term ‘milk chocolate’ to designate the product referred to in point 5, on condition that the term is accompanied in all three cases by an indication of the amount of dry milk solids laid down for each of the products, in the form ‘milk solids: ... % minimum.’]

#### Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.](#)

#### 5. Family milk chocolate

designates the product obtained from cocoa products, sugars and milk or milk products and which contains:

- not less than 20 % total dry cocoa solids,
- not less than 20 % dry milk solids obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat,
- not less than 2,5 % dry non-fat cocoa solids,
- not less than 5 % milk fat,
- not less than 25 % total fat (cocoa butter and milk fat).

#### 6. White chocolate

designates the product obtained from cocoa butter, milk or milk products and sugars which contains not less than 20 % cocoa butter and not less than 14 % dry milk solids obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat, of which not less than 3,5 % is milk fat.

#### 7. Filled chocolate, chocolate with ... filling, chocolate with ... centre

designate the filled product, the outer part of which consists of one of the products defined in 3, 4, 5 and 6. The designations do not apply to products, the inside of which consists of bakery products, pastry, biscuit or edible ice.

The outer chocolate portion of products bearing one of these names shall constitute not less than 25 % of the total weight of the product.

#### 8. Chocolate a la taza

designates the product obtained from cocoa products, sugars, and flour or starch from wheat, rice or maize, which contains not less than 35 % total dry cocoa solids, including not less than 18 % cocoa butter and not less than 14 % dry non-fat cocoa solids, and not more than 8 % flour or starch.

#### 9. Chocolate familiar a la taza

designates the product obtained from cocoa products, sugars, and flour or starch from wheat, rice or maize, which contains not less than 30 % total dry cocoa solids, including not less than 18 % cocoa butter and not less than 12 % dry non-fat cocoa solids, and not more than 18 % flour or starch.

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10. A chocolate or a praline

designates the product in single-mouthful size, consisting of:

- filled chocolate, or
- a single chocolate or a combination or a mixture of chocolate within the meaning of the definitions given in 3, 4, 5 or 6 and other edible substances, provided that chocolate constitutes not less than 25 % of the total weight of the product.

B. OPTIONAL AUTHORISED INGREDIENTS

Additions of edible substances

1. Without prejudice to Article 2 and Section B(2), other edible substances may also be added to the chocolate products defined in Section A(3), (4), (5), (6), (8) and (9).

However, the addition:

- of animal fats and their preparations not deriving solely from milk shall be prohibited,
- of flours, granular or powdered starch shall only be authorised where the addition is in accordance with the definitions laid down in Section A(8) and (9).

The quantity of those edible substances added may not exceed 40 % 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 products defined in Section A(2), (3), (4), (5), (6), (8) and (9).

C. CALCULATION OF PERCENTAGES

The minimum contents of the products set in Section A(3), (4), (5), (6), (8) and (9) shall be calculated after deduction of the weight of the ingredients provided for in Section B. In the case of the products in Section A(7) and (10), the minimum contents shall be calculated after deducting the weight of the ingredients provided for in Section B, as well as the weight of the filling.

The chocolate contents of the products defined in Section A(7) and (10) shall be calculated in relation to the total weight of the finished product, including its filling.

D. SUGARS

Sugars as referred to in this Directive are not limited only to those sugars covered by Council Directive 73/437/EEC of 11 December 1973 on the approximation of the laws of the Member States concerning certain sugars intended for human consumption<sup>(1)</sup>.

## ANNEX II

### VEGETABLE FATS REFERRED TO IN ARTICLE 2(1)

The vegetable fats referred to in Article 2(1) 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<sup>(2)</sup>;

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- (b) 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);
- (c) 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:

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

Furthermore, as an exception to the above, Member States may allow the use of coconut oil for the following purpose: in chocolate used for the manufacture of ice cream and similar frozen products.

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- (1) [OJ L 356, 27.12.1973, p. 71](#). Directive as last amended by the 1985 Act of Accession.
- (2) P (palmitic acid), O (oleic acid), St (stearic acid).