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GAIN Report

Global Agricultural Information Network

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Voluntary Public

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India

Post: New Delhi

GOI Invite Comments from WTO SPS members on Standards for Chocolates

Report Categories:

Sanitary/Phytosanitary/Food Safety

Food Processing Ingredients

Exporter Guide

Food and Agricultural Import Regulations and Standards - Narrative

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Report Highlights:

India notified its revised draft standards for chocolates to the World Trade Organization (WTO) and invited comments. The comment period for trading partners expires 60 days beyond the notification date as listed on the WTO's website (www.wto.org).

General Information:

DISCLAIMER: The information contained in this report was retrieved from the Food Safety and Standard Authority of India's (FSSAI) website <http://www.fssai.gov.in/>. The Office of Agricultural Affairs and/or the U.S. Government make no claim of accuracy or authenticity.

On May 5, 2016, FSSAI published its draft standards for chocolates on its website and invited comments from the WTO member countries. The comment period for trading partners expires 60 days from the date it is notified on WTO website (www.wto.org).

Major highlights of the notification include:

- The addition of vegetable fats other than cocoa butter shall not exceed five percent of the finished product, after deducting the total weight of any other added edible foodstuffs, and retaining the minimum cocoa contents.
- A new Section 5 on optional ingredients was added, which covers criteria for vegetable fats allowed.

Comments, within 60 days from the date of notification in WTO website, should be sent to:

The Chief Executive Officer
Food Safety and Standards Authority of India
3rd Floor, Food and Drug Administration Bhawan, Kotla Road
New Delhi – 110002
Email: baranip@yahoo.com

Details of Notification:

- Date of Publication on FSSAI website: May 5, 2016
- Final date for comments from WTO members: 60 days from the date notified on WTO website (TBD)

Agency in Charge: Food Safety and Standards Authority of India, Ministry of Health and Family Welfare, GOI.

Products affected: All chocolate based products.

The full [text](#) of the Regulation is pasted below and is also available on FSSAI's website: <http://www.fssai.gov.in/>.

Notice Calling for suggestions, views, comments etc from WTO-SPS Committee members within a period of 60 days on the draft notification related to Standards for Chocolates.

In the Food safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, in regulation 2.7, in sub-regulation 2.7.4 relating to “Chocolate” the following contents shall be substituted, namely;-

“2.7.4 Chocolate

1. Chocolate means a homogeneous product obtained by an adequate process of manufacture from a mixture of one or more of the ingredients, namely, cocoa beans, cocoa nib, cocoa mass, cocoa press cake and cocoa dust (cocoa fines/powder), including fat reduced cocoa powder with or without addition of sugars, cocoa butter, milk solids including milk fat. 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. The nature of the vegetable fats permitted for this purpose would be prescribed under 5 (ii) on this regulation.
2. The material shall be free from rancidity or off odour, insect and fungus infestation, filth, adulterants and any harmful or injurious matter.
3. **The chocolates shall be of the following types:**
 - (i) **Milk chocolates** is obtained from one or more of cocoa nib, cocoa mass, cocoa press cake, cocoa powder including low-fat cocoa powder with sugar and milk solids including milk fat and cocoa butter.
 - (ii) **Milk Covering Chocolate** as defined above, but suitable for covering purposes.
 - (iii) **Plain Chocolate** is obtained from one or more of cocoa nib, cocoa mass, cocoa press cake, cocoa powder including low fat cocoa powder with sugar and cocoa butter.
 - (iv) **Plain Covering Chocolate**-same as plain chocolate but suitable for covering purposes.
 - (v) **Blended Chocolate** means the blend of milk and plain chocolates in varying proportions.

- (vi) **White chocolate** is obtained from cocoa butter, milk solids, including milk fat and sugar.
 - (vii) **Filled Chocolates** means a product having an external coating of chocolate with a centre clearly distinct through its composition from the external coating, but does not include flour, confectionery, pastry and biscuit products. The coating shall be of chocolate that meets the requirements of one or more of the chocolate types mentioned above. The amount of chocolate component of the coating shall not be less than 25 per cent of the total mass of the finished product.
 - (viii) **Composite Chocolate**-means a product containing at least 60 per cent of chocolate by weight and edible wholesome substances such as fruits, nuts. It shall contain one or more edible wholesome substances which shall not be less than 10 per cent of the total mass of finished product.
4. Provided that it may contain artificial sweeteners as provided in regulation 3.1.3 and label declaration as provided under Regulation 2.4.5 (24, 25, 26, 28 & 29) of Food Safety and Standards (Packaging and Labelling) Regulations, 2011.

5. **Optional ingredients**

- (i) Provided further that in addition to the ingredients mentioned above, the chocolate may contain one or more of the substances as outlined below, under different types of chocolates.
 - (a) Edible salts
 - (b) Spices and condiments
 - (c) Permitted emulsifying and stabilizing agents
 - (d) Permitted sequestering and buffering agents
- (ii) The vegetable fats may be singly or in blends shall comply with the following criteria:
 - (a) they are non-lauric vegetable fats, which are rich in symmetrical monounsaturated triglycerides of the type POP (palmitic acid - oleic acid - palmitic acid), POST (palmitic acid-oleic acid-stearic acid) and StOSt (stearic acid -oleic acid-stearic acid).

- (b) they are miscible in any proportion with cocoa butter, and are compatible with its physical properties (melting point and crystallization 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 above criteria, the following vegetable fats, obtained from the plants, may be used: Sal (*Shorea robusta*), Kokum gurgi (*Garcinia indica*), Mango kernel (*Mangifera indica*), Barneo tallow (*Shorea spp.*), Palm oil (*Elaeis guineensis* and *Elaeis olifera*) and Shea (*Butyrospermum parkii*) cocoa butter substitute.

6. Chocolates shall also conform to the following standards namely:-

Sr. No.	Characteristics	Requirements for					
		Milk Chocolate	Milk Covering Chocolate	Plain Chocolate	Plain Covering Chocolate	White Chocolate	Blended chocolate
1	Total Fat (on dry basis) percent by weight. Not less than	25	25	25	25	25	25
2	Milk fat (on dry basis) Percent by weight. Not less than	2	2	-	-	2	-
3	Cocoa solids (on Moisture-free and fat free basis) percent by weight	2.5	2.5	12	12	-	3.0

Sr. No.	Characteristics	Requirements for					
		Milk Chocolate	Milk Covering Chocolate	Plain Chocolate	Plain Covering Chocolate	White Chocolate	Blended chocolate
4	Milk Solids (on Moisture-free and Fat-free Basis) percent by weight (Minimum)	10.5	10.5	-	-	10.5	1-9 (Range)
5	Acid insoluble ash (on moisture fat and sugar free basis) percent by weight, Not more than	0.2	0.2	0.2	0.2	0.2	0.2

7. The product may contain food additives in these regulations permitted in Appendix A of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011.”