

NOTIFICATION OF PUBLIC HEALTH MINISTRY

No. 83 (1984)

Re : Chocolates

By virtue of Section 5 and Section 6 (3) (4) (5) (6) (8) and (10) of the Food Act B.E. 2522 (1979), the Minister of Public Health hereby issues a notification as follows :

No. 1 Chocolate is a food which is specified to have the following quality standards.

No. 2 Chocolates as per No. 1 are defined as :

(1) Chocolates are products manufactured from cocoa beans from which the husk has been removed, of cocoa nibs, cocoa mass, cocoa press cake, cocoa powder, or defatted cocoa powder with the possible addition of cocoa butter, flavours, taste and/or other ingredients as per No. 9, to be distinguished as follows:

- (a) UNSWEETENED CHOCOLATE means chocolate without sugar and with a standard quality as per (1) of table in No. 4.
- (b) CHOCOLATE means chocolate with sugar and with a standard quality as per (2) of table in No.4.
- (c) COUVERTURE CHOCOLATE means chocolate with sugar and with a standard quality as per (3) of table in No. 4, suitable for covering foods.
- (d) SWEET (PLAIN) CHOCOLATE means chocolate with sugar, and with a standard quality as per (4) of table in No. 4.
- (e) MILK CHOCOLATE means chocolate with sugar, milk solids, and with a standard quality as per (5) of table in No. 4.
- (f) MILK COUVERTURE CHOCOLATE means chocolate with sugar, milk solids and with a standard quality as per (6) of table in No. 4 suitable for covering foods.
- (g) MILK CHOCOLATE WITH HIGH MILK CONTENT means chocolate with sugar, milk solids and with a standard quality as per (7) of table in No. 4.
- (h) SKIMMED MILK CHOCOLATE means chocolate with sugar, skimmed milk solids and with a standard quality as per (8) of table in No. 4.
- (i) SKIMMED MILK COUVERTURE CHOCOLATE means chocolate with sugar, skimmed milk solids and with a standard quality as per (9) of table in No. 4 suitable for covering foods.
- (j) CREAM CHOCOLATE means chocolate with sugar, milk cream solids and with a standard quality as per (10) of table in No.4.

- (k) CHOCOLATE VERMICELLI means chocolate with sugar and with a standard quality as per (11) of table in No. 4.
- (l) CHOCOLATE FLAKES means chocolate with sugar and with a standard quality as per (12) of table in No. 4.
- (m) MILK CHOCOLATE VERMICELLI means chocolate with sugar, milk solids and with a standard quality as per (13) of table in No. 4.
- (n) MILK CHOCOLATE FLAKES means chocolate with sugar, milk solids and with a standard quality as per (14) of table in No. 4.

This meant including of the chocolate which other fat are used as substitution for some part of cocoa butter in quantity obtain from FDA approval.

- (2) FLAVOURED CHOCOLATE means chocolate as per (1) (a) to (j) which contains certain flavours as per No. 10 added in the correct amounts.
- (3) COMPOSITE CHOCOLATE means chocolate as per (1) (a) to (j) or No. (2) which has another composition which is not harmful for health. It must not contain flour or fat except the flour and fat which are part of the chocolate composition (3).
- (4) FILLED CHOCOLATE means products covered with chocolate as per NO. (1)(a) to (j) or (2) or (3). This does not include sweets that use flour as main ingredient.
- (5) WHITE CHOCOLATE means products manufactured from cocoa butter, milk powder and sugar which are processed to make them an homogenous product, and which may contain flavours and/or other ingredients as per No. 9.

No. 3 Chocolate as per No. 2 must respect the following quality standards :

- (1) Have the flavour and taste of that typical chocolate.
- (2) Be free of micro-organisms.
- (3) Must not contain poisonous matters from micro-organisms or other matters in a quantity that may be dangerous to health.
- (4) Must not contain more than 1g of molds for chocolate as per No. 2
- (5) Not contain synthetic sweeteners.
- (6) No colour may be added in chocolate as per No. 2 (1) No. 2 (2) & No. 2 (5)
- (7) Contaminants may not exceed
 - (a) Arsenic
 - 0.5 mg/1 kg for chocolate under No. 2(1) (b) to (m), No.2(2) and No. 2(5)
 - 1 mg/1 kg for chocolate under No. 2(1) (a), No. 2(3) and No. 2(4)

- (1) (b) Copper less than 30% by weight cocoa butter, calculated as per No. 2(1) (b) to (n),
15 mg/1 kg for chocolate under No. 2(1) (b) to (n),
No. 2(2) and No. 2(5)
20 mg/1 kg for chocolate under 2 (3) and 2 (4)
30 mg/1 kg for chocolate under 2 (1) (a)

(c) Lead

- (4) 1 mg/1 kg for chocolate under No. 2

No. 4 Apart from quality standards as per No. 3, chocolate as per No. 2(1) must satisfy the following standards : see table in annex

No. 5 Apart from complying with quality standards as per No. 3 and in (1) to (10) of table in No. 4, FLAVOURED CHOCOLATE as per No. 2(2) must follow these standards :

- (1) Chocolate that has a coffee flavour, must not contain less than 1.5% by weight of real coffee or not less than 0.5% by weight of instant coffee powder.
- (2) Chocolate with other flavours must contain these flavours in sufficient quantity.

No. 6 COMPOSITE CHOCOLATE as per No. 2(3), apart from following standards as per No. 3 and as (1) to (10), must follow these standards :

- (1) Contain not less than 60% by weight chocolate as per 2(1) (a) to No. 2 (1) (j)
- (2) Other ingredients may not be dangerous to health and may not include flour and fat.
- (3) Other ingredients
 - (a) Not exceeding 40%, by weight in case added ingredients are nonhomogenous.
 - (b) Not exceeding 30%, by weight in case added ingredients are homogenous with chocolate(?)
 - (c) As per FDA approval in case chocolate added ingredients are homogenous and non homogenous with chocolate

No. 7 Filled chocolate as per No. 2(4), apart from following standards as per No. 3, and as No. 4(1) to (10), must respect following standards :

- (1) Have not less than 40% by weight chocolate as per No. 2(1) (a) to (j) or chocolate as per No. 2(2) or 2(3)
- (2) The materials that are covered by chocolate must follow quality standards of the respective FDA notifications or obtain FDA approval.

No. 8 Chocolate as per No. 2(5) apart from following standards as per No. 3 must have following quality standards :-

- (1) Contain not less than 20% by weight cocoa butter, calculated in dry basis.
- (2) Contain not less than 3.5% by weight Milk Fat, calculated in dry basis.
- (3) Contain not less than 10.5% by weight fat free milk solid, calculated in dry basis.
- (4) Contain not more than 55% by weight sugar.

No. 9 Chocolate as per No. 2 (a) to (n) may contain other ingredients as following :

- (1) A small quantity of spices or salts.
- (2) One or more fractions of full cream milk powder in quantity not exceeding 5% by weight, calculate in dry basis, in especially
 - (a) Chocolate as per No. 2(1) (a) (b) (c) (d) (k) (1)
 - (b) Chocolate as per No. 2(5)

No.10 Chocolates as per No. 2 may contain food additives of the type and up to the quantities listed below except for synthetic flavouring agents of chocolate and milk which imitate the natural ones for milk and synthetic chocolate flavour

| PURPOSES | FOOD ADDITIVES | MAXIMUM QTY G/1 KG | TYPE OF CHOCOLATES |
|-------------|---|---|---|
| EMULSIFIERS | A) Edible fatty acids of mono and diglyceride | 15 | For chocolate as per No. 2(1) and No. 2(2) and No. 2(5) |
| | B) Lecithin | 5 of non soluble in acetone | For chocolate as per No. 2(1) (a) to (j). For chocolate as per No. 2(1) (k) to (n) and No. 2(5) |
| | C) Ammonium Salt of Phosphatidic Acid (?) | 7 | For chocolate as per No. 2(1) (a) to (n) and No. 2(5) |
| | D) Polyglycerol Polyricinoleic (Acid?) | 5 | For chocolate as per No. 2(1) (a) to (n) and No. 2(5) |
| | E) Sorbitan Monostearate | 10 | For chocolate as per No. 2(1) (a) to (n) and No. 2(5) |
| | F) Sorbitan Tristearate | 10 | For chocolate as per No. 2(1) (a) to (n) and No. 2(5) |
| | G) Polyoxyethylene (20) Sorbitan Monostearate | 10 Emulsifiers as per (A) to (G) alone or several together but not over 15 | For chocolate as per No. 2(1) (a) to (n) and No. 2(5) |
| FLAVOURS | A) Vanilla | Small qty for flavour adjusting | For chocolate No. 2(1), No. 2(2) and No. 2(5) |
| | B) Ethyl Vanillin | Small qty for flavour adjusting | For chocolate No. 2(1), No. 2(2) and No. 2(5) |
| | C) Natural & Synthetic flavours as per FDA approval | Small qty for flavour adjusting | For chocolate No. 2(1), No. 2(2) and No. 2(5) |

- No. 11 Containers for chocolates as per No. 2, must follow Ministry of Public Health Notifications Re Containers.
- No. 12 Label design of chocolate as per No. 2, must follow Ministry of Public Health Notification No. 68 (1982) Re label dated 29th April 1982 except No. 3, 12, 14.
- No. 13 Unless excepted by FDA : Chocolate labels as per No. 2 which are sold directly to consumers must have details in Thai, which might be accompanied by another language, as follows
- (1) Name of chocolate
 - (2) Name and address of manufacturer or of the person packing the food for distribution; in case of imported food, country of manufacturer shall also be stated.
 - (3) Net quantity of chocolate in the metric system :
 - (a) For powdered or dry or bar chocolate, net weight shall be stated.
 - (b) For liquid chocolate, net volume shall be stated.
 - (c) For semi-solid chocolate, net weight or net volume shall be stated.
 - (4) Essential ingredients in declining percentage by weight.
 - (5) Month and year of manufacture of date, day month and year of expiry accompanied by the word "Manufactured" or "Expiry".
 - (6) Suggestion for storage, if any
 - (7) "Directions for use" if any.

Chocolate labels with an area of less than 35 square centimeters need not show the details in No. (3), (4), (6) and (7) but must show those on the outer packing of the chocolates.

- No. 14 The name of the chocolate must not lead to a misunderstanding or offend the Thai culture or mislead consumers. It must be written in continuation and horizontally and the size of the lettering is to be about the same size and needs FDA approval.
- No. 15 If a tradename is used, it must bear the following statement under the name in accordingly for chocolate as per No. 2(1)
- (1) Unsweetened Chocolate for product as per No. 2(1) (a)
 - (2) Chocolate for product as per No. 2(1) (b)
 - (3) Couverture Chocolate for product as per No. 2(1) (c) and in case of couverture chocolate containing not less than 16% by weight cocoa without fat by weight, calculated in dry basis

- (4) Sweet (Plain) Chocolate for product as per No. 2(1) (d)
- (5) Milk Chocolate for product as per 2(1) (e)
- (6) Couverture Milk Chocolate for product as per No. 2(1) (f)
- (7) Milk Chocolate by showing quantity of milk solids and cocoa in percentage under the name of chocolate for product as per No. 2(1) (g)
- (8) Skimmed Milk Chocolate for product as per No. 2(1) (h)
- (9) Skimmed Milk Couverture Chocolate for product as per No. 2(1) (i)
- (10) Cream Chocolate for product as per No. 2(1) (j)
- (11) Chocolate Vermicelli for product as per No. 2(1) (k)
- (12) Chocolate Flakes for product as per No. 2(1) (l)
- (13) Milk Chocolate Vermicelli for product as per No. 2(1) (m)
- (14) Milk Chocolate Flakes for product as per No. 2(1) (n)

No.16 Product as per No. 2(2) : If a trade name is used, it must bear the statement under the name as follows :-

- (1) Chocolate.....taste (indicate name of natural flavour used) for chocolate using natural flavour.
- (2) Chocolate.....flavour(indicate name of synthetic flavour used) for chocolate using synthetic flavour.

No.17 Products as per No. 2(3), if a trade name is used, must bear the statement composite chocolate under the name and mention type and quantity of ingredients under the mentioned name.

No.18 Product as per No. 2(4), if a trade name is used, it must bear the statement "chocolate covered _____" (type of material used).

No.19 Product as per No. 2(5), if a trade name is used, It must bear the statement "White Chocolate".

No.20 Product as per No. 2(1), No. 2(2), No. 2(3) and No. 2(4) using other fats in substitution of part of cocoa butter; in case a trade name is supplied, it must bear the statements as per No. 15, 16, 17 and 18 accordingly under the name and must show the statement of "Using _____ % fat as substitution for cocoa butter (In the blank state type and quantity of Fat) with size of lettering not smaller than 5 mm; colour must be contrasted with label background colour under that name.

No.21 Assorted chocolate contained in the same packing and if trade name is used, must bear the statement "Assorted Chocolate" under the name on the label together with the statement showing the quantity and type of different chocolates contained.

- No. 22 In case the name of chocolate as per No. 2 is in another language, the type of lettering in Thai must not be smaller than in this other language.
- No. 23 Background colour of label and colour of the lettering must be contrasted, easily seen and the letter size proportionate to the size of label.
- No. 24 Manufactured or imported goods which have chocolate as ingredient, but of a quality that is not up to quality standards of this notification, cannot use the word "CHOCOLATE" on any part of the label at all.
- No. 25 This Notification :
- (1) Shall be enforced 90 days after the date of its publication in the Government Gazette.
 - (2) Manufacturers, importers of chocolates or of product which contain chocolates as ingredients,
 - including the licensee who possesses the certificate of registration for food according to the MPH Notification, who manufactures, import, chocolate or products which contains chocolate as an ingredient
 - before or on the date of the announcement of this Notification to be compulsory
 - who have prepared labels before the date of compulsory application, must submit for change within 90 days from the date of enforcement of this Notification
 - those labels which do not comply with it.
 - After submission old labels can be used until approval is received or until the date FDA informs of the limit of using these label.
 - Stock of old labels may be used no more than one year after this Notification is enforced

(Announced in the Government Gazette on December 12, 1984)

Bangkok, January 30, 1985

(A) MILK SOLIDS (without Milk Fat that is a natural ingredient of milk)

(B) May add one or many compositions of Full Cream Milk Powder as per No. 10(2)

(C) Quantity not fixed

| PRODUCT | Ingredients in percentage of dry matter | | COCOA BUTTER | PAT-FREE COCOA SOLIDS | TOTAL COCOA SOLIDS | MILK FAT | FAT - FREE MILK SOLIDS (A) | TOTAL FAT | SUGAR | | | | | |
|--|---|------|------------------|-----------------------|--------------------|----------|----------------------------|--------------------|------------------|---------------|-------|-------|-------|----|
| | | | | | | | | | | | | | | |
| 1) UNSWEETENED CHOCOLATE | From 50 | - 56 | (C) | (C) | (C) | (B) | (B) | (C) | None | | | | | |
| 2) CHOCOLATE | Not less than 18 | | Not less than 14 | Not less than 14 | Not less than 35 | (B) | (B) | (C) | Suitable Qty. | | | | | |
| 3) COUVERTURE CHOCOLATE | " " " | 31 | " " " | 2.5 | " " " | 35 | (B) | (B) | (C) | " " | | | | |
| 4) SWEET (PLAIN) CHOCOLATE | " " " | 18 | " " " | 12 | " " " | 30 | (B) | (B) | (C) | " " | | | | |
| 5) MILK CHOCOLATE | (C) | | " " " | 2.5 | " " " | 25 | Not less than 3.5 | Not less than 10.5 | Not less than 25 | Not over 55 | | | | |
| 6) MILK COUVERTURE CHOCOLATE | (C) | | " " " | 2.5 | " " " | 25 | " " " | 3.5 | " " " | 10.5 | " " " | 31 | " " " | 55 |
| 7) MILK CHOCOLATE WITH HIGH MILK CONTENT | (C) | | " " " | 2.5 | " " " | 20 | " " " | 5 | " " " | 15 | " " " | 25 | " " " | 55 |
| 8) SKIMMED MILK CHOCOLATE | (C) | | " " " | 2.5 | " " " | 25 | Not over 0.5 | " " " | 14 | " " " | 25 | " " " | 55 | |
| 9) SKIMMED MILK COUVERTURE CHOCOLATE | (C) | | " " " | 2.5 | " " " | 25 | " " " | 0.5 | " " " | 14 | " " " | 31 | " " " | 55 |
| 10) CREAM CHOCOLATE | (C) | | " " " | 2.5 | " " " | 25 | Not less than 7 | From 3 - 14 | " " " | 25 | " " " | 55 | | |
| 11) CHOCOLATE VERMICELLI | Not less than 12 | | " " " | 14 | " " " | 12 | (B) | (B) | (C) | Suitable Qty. | | | | |
| 12) CHOCOLATE FLAKES | " " " | 12 | " " " | 14 | " " " | 32 | (B) | (B) | (C) | " " | | | | |
| 13) MILK CHOCOLATE VERMICELLI | (C) | | " " " | 2.5 | " " " | 20 | Not Less than 3.5 | Not less than 10.5 | Not less than 12 | Not over 66 | | | | |
| 14) MILK CHOCOLATE FLAKES | (C) | | " " " | 2.5 | " " " | 20 | " " " | 3.5 | " " " | 10.5 | " " " | 12 | " " " | 66 |