

Translation

NOTIFICATION OF THE MINISTRY OF PUBLIC HEALTH
(No. 442) B.E. 2566 (2023)
ISSUED BY VIRTUE OF THE FOOD ACT, B.E. 2522 (1979)
Re: COCOA BEAN PRODUCTS*

It deems appropriate to stipulate the Notification of Ministry of Public Health regarding cocoa bean products in order to protect consumer health and comply with international standards.

By virtue of the provisions of Section 5 paragraph one and Section 6(3)(4)(5)(6)(7) and (10) of the Food Act, B.E. 2522 (1979), the Minister of Public Health hereby issues the Notification as follows.

Clause 1 Cocoa bean products is prescribed food to have qualities and standards.

Clause 2 In this notification:

“Cocoa butter” means the fat obtained from cocoa beans.

“Cocoa mass” or “Cocoa liquor” means the product obtained by crushing or grinding cocoa nib, either with or without roasting.

“Cocoa powder” means the products obtained from cocoa beans which have been shelled, roasted and ground, taken through the fat extraction process by compression method and then ground into powder. Alkali may be used in the production process to improve aroma, flavour and color. This includes Fat-reduced cocoa powder, Highly Fat-reduced cocoa powder and Cocoa powder mixed with cacao powder.

“Cacao powder” means the products obtained from cocoa beans which have been shelled, without roasted but may be baked at low temperatures and ground, taken through cold-pressed process and then ground into powder. This includes Fat-reduced cacao powder, Highly Fat-reduced cacao powder.

* Published in the Government Gazette, Vol. 140, Special Issue 153 d, page 34, dated 29th June B.E. 2566 (2023)

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Clause 3 Cocoa bean products as defined in Clause 2 shall have specific qualities and standards, as the case may be, as follows:

(1) "Cocoa butter" shall contain free fatty acid (expressed as oleic acid) not exceed 1.75%, and unsaponifiable matter not exceed 0.7% except for press cocoa butter shall not exceed 0.35%.

(2) "Cocoa mass" or "Cocoa liquor" shall contain cocoa shell and germ not exceed 5% (calculated on the fat-free dry matter) or not exceed 1.75% (calculated on an alkali free basis (for Cocoa Shell only)), and Cocoa Butter content 47 - 60%.

(3) "Cocoa powder"

(a) "Cocoa powder" shall contain cocoa butter not less than 20% (on a dry matter basis) and moisture content not exceed 7%

(b) "Fat-reduced cocoa powder" shall contain cocoa butter from 10% but less than 20% (on a dry matter basis) and moisture content not exceed 7%

(c) "Highly Fat-reduced cocoa powder" shall contain cocoa butter less than 10% (on a dry matter basis) and moisture content not exceed 7%

(4) "Cacao powder"

(a) "Cacao powder" shall contain cocoa butter not less than 20% (on a dry matter basis) and moisture content not exceed 7%

(b) "Fat-reduced cacao powder" shall contain cocoa butter from 10% but less than 20% (on a dry matter basis) and moisture content not exceed 7%

(c) "Highly Fat-reduced cacao powder" shall contain cocoa butter less than 10% (on a dry matter basis) and moisture content not exceed 7%

Clause 4 Cocoa bean products as defined in Clause 2, in addition to have specific qualities and standards as specified in Clause 3, shall have qualities and standards as follows:

(1) Contaminants shall not be found in amount exceed the maximum levels specified in the notification of Ministry of Public Health regarding standard for contaminants in food;

(2) Pathogenic microorganisms shall follow the notification of Ministry of Public Health regarding prescribing the quality or standard, principles, conditions and methods of analysis for pathogenic microorganisms in foods;

(3) Yeast and mold shall be less than 100 CFU in 1 gram of Cocoa powder or Cacao powder

Clause 5 Use of food additives and processing aids shall follow the notification of Ministry of Public Health regarding food additives. Hexane residue used as processing aid (which its boiling point at 62-82 °C) shall not exceed 1 mg/kg, but for pressed cocoa butter shall not be found.

Clause 6 Use of flavouring agents shall follow the notification of Ministry of Public Health regarding flavouring agents, by using in an amount permitted at Good Manufacturing Practice (GMP) and appropriate amount to give the flavour, except that Cocoa butter does not allow the use of flavouring agents. Use of flavouring agents that imitate chocolate and milk flavour are prohibited.

Clause 7 Producers or importers of cocoa bean products for sale shall follow the notification of Ministry of Public Health regarding production processes, production equipments and food storages.

Clause 8 Packaging of cocoa bean products shall follow the notification of Ministry of Public Health regarding food packaging.

Clause 9 Labeling of cocoa bean products shall follow the notification of the Ministry of Public Health regarding Labeling of Prepackaged Foods, and shall display additional information in proximity of the food name, as the case may be, as follows:

(1) Cocoa bean products as specified in Clause 3(1) shall display the name “*Cocoa Butter*” or “*Press Cocoa Butter*” may be used if its characteristics conform as specified.

(2) Cocoa bean products as specified in Clause 3(2) shall display the name “*Cocoa mass*” or “*Cocoa liquor*”.

(3) Cocoa bean products as specified in Clause 3(3) shall display the name “*Cocoa powder*” or “*Fat-reduced cocoa powder*” or “*Highly Fat-reduced cocoa powder*” according to the types of product as specified.

(4) Cocoa bean products as specified in Clause 3(4) shall display the name “*Cacao powder*” or “*Fat-reduced cacao powder*” or “*Highly Fat-reduced cacao powder*” according to the types of product as specified.

In the case of the products obtained from cocoa bean products under Clause 3(3) mixed with 3(4), shall display the name according to Clause 9(3). The product may also be specified the type and percentage of the cacao powder content close to the name.

Clause 10 Producers or importers of cocoa bean products for sale, whose permits issued prior to the date of this notification come into force, can prolong to produce or import for sale, including seller can sell the former products, but not exceed two years from the date of this notification come into force.

Clause 11 This Notification shall come into force as from the day following date of its publication in the Government Gazette onwards.

Given on the 16th Day of May B.E. 2566 (2023)

Satit Pitutacha

Deputy Minister of Public Health Acting for

Minister of Public Health