

Draft

DECREE

of2025

on requirements for natural sweeteners, foods with sweetening effects, confectionery, cocoa beans, cocoa and chocolate products and honey

In accordance with § 18(1)(a), (b), (g), (h) and (i) of Act No 110/1997 on foodstuffs and tobacco products and on amendments to certain related acts, as amended by Act No 119/2000, Act No 306/2000, Act No 146/2002, Act No 131/2003, Act No 274/2003, Act No 316/2004, Act No 120/2008, Act No 139/2014 and Act No 180/2016 (hereinafter referred to as the 'Act'), the Ministry of Agriculture lays down the following:

§ 1

Subject matter

This Implementing Decree incorporates the relevant legislation of the European Union¹⁾, follows on from directly applicable legislation of the European Union²⁾ and governs

- a) the method of providing information on natural sweeteners, foods with sweetening effects, confectionery, cocoa products, chocolate products and honey,

¹)Commission Directive 98/28/EC of 29 April 1998 derogating from certain provisions of Directive 93/43/EEC on the hygiene of foodstuffs as regards the transport by sea of raw sugar in bulk.

Directive 2000/36/EC of the European Parliament and of the Council of 23 June 2000 on cocoa and chocolate products intended for human consumption, as amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council and Regulation (EU) No 1021/2013 of the European Parliament and of the Council.

Council Directive 2001/110/EC of 20 December 2001 relating to honey, as amended by Directive 2014/63/EU of the European Parliament and of the Council.

Council Directive 2001/111/EC of 20 December 2001 relating to certain sugars intended for human consumption, as amended by Regulation (EU) No 1021/2013 of the European Parliament and of the Council.

Directive 2014/63/EU of the European Parliament and of the Council of 15 May 2014 amending Council Directive 2001/110/EC relating to honey.

Directive (EU) 2024/1438 of the European Parliament and of the Council of 14 May 2024 amending Council Directives 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices and certain similar products intended for human consumption, 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption, and 2001/114/EC relating to certain partly or wholly dehydrated preserved milk intended for human consumption.

²)Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, as amended.

Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs, as amended.

Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives, as amended.

Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC, as amended.

Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004, as amended.

- b) types of natural sweeteners, sweetening products, confectionery, cocoa products, chocolate products and honey, broken down into groups and subgroups,
- c) for the different types of natural sweeteners, confectionery, cocoa products, chocolate products and honey, quality requirements, technological requirements, quality requirements relating to the name and permissible negative weight tolerances of the packages,
- d) for cocoa beans
 - 1. temperature regimes and relative air humidity for storage;
 - 2. storage and handling methods when they are placed on the market;
 - 3. minimum technological requirements; and
- e) conditions for bulk transport of sugars by sea.

§ 2

Definitions of certain terms

(1) For the purposes of this Decree,

- a) natural sweetener means all types of sugars in the form of monosaccharides and disaccharides and mixtures and aqueous solutions thereof,
- b) dextrose means purified crystallised D-glucose monohydrate with one crystal water molecule or purified crystallised anhydrous D-glucose without crystal water content,
- c) fructose means purified crystallised D-fructose,
- d) sugar means purified crystallised sucrose,
- e) sugar with additives means sugar to which flavouring³⁾ or spices have been added,
- f) powdered sugar with anti-caking agents means powdered sugar to which native starch has been added,
- g) candy sugar means refined sugar in the form of large crystals and clusters thereof which are white, yellow to brown in colour,
- h) glucose syrup means a purified concentrated aqueous solution of sugars suitable for human nutrition, derived from starch or inulin or combinations thereof,
- i) dried glucose syrup means partially dried glucose syrup with at least 93% dry solids by weight,
- j) liquid sugar means an aqueous solution of sucrose,
- k) liquid invert sugar means an aqueous solution of sucrose partially inverted by hydrolysis in which the proportion of invert sugar does not predominate,
- l) inverted sugar syrup means an aqueous solution of sucrose, possibly crystallised, which has been partially inverted by hydrolysis, in which the invert sugar content must be more than 50% dry solids by weight,
- m) food with sweetening effects means a food based on monosaccharides, disaccharides and oligosaccharides obtained from plants, containing other naturally occurring organic and inorganic substances, with the possible addition of other ingredients, processed using appropriate technological processes in various forms,
- n) cane sugar means partially purified sucrose obtained by crystallisation from partially purified cane juice without further purification, except by centrifugation or drying, and characterised by sucrose crystals covered with a layer of cane molasses,
- o) caramel syrup means a food of light to dark orange or brownish-orange colour and sweetish taste produced by heating carbohydrates or by adding other ingredients.

(2) For the purposes of this Decree, the following definitions shall also apply:

- a) confectionery means a food whose basic ingredient consists of natural sweeteners, sweeteners⁴⁾ or combinations thereof and other ingredients and which does not comply with the requirements laid down for natural sweeteners, cocoa products or chocolate products,
- b) candy mass means a shapeless sugary substance with a water content not exceeding

³⁾ Regulation (EC) No 1334/2008 of the European Parliament and of the Council, as amended.

⁴⁾ Regulation (EC) No 1333/2008 of the European Parliament and of the Council, as amended.

3 % made from an aqueous solution of sucrose and glucose syrup.

(3) For the purposes of this Decree, the following definitions shall also apply:

- a) cocoa beans mean the fermented and dried seeds of the cocoa tree *Theobroma cacao* L.,
- b) cocoa butter means the fat obtained from cocoa beans or parts thereof,
- c) cocoa fat means fat obtained from cocoa beans or parts thereof not meeting the requirements laid down for cocoa butter,
- d) cocoa powder or cocoa means a cocoa product obtained from cocoa beans which have been cleaned, dehulled and roasted, prepared into powder and containing not less than 20% cocoa butter in relation to weight of dry solids and not more than 9% water,
- e) chocolate for the preparation of beverages, sweetened cocoa or sweetened cocoa powder means a cocoa product made from a mixture of cocoa and natural sweeteners, sweeteners or combinations thereof, containing at least 25 % cocoa,
- f) powdered chocolate means a cocoa product made from a mixture of cocoa and natural sweeteners, sweeteners or combinations thereof, containing at least 32% cocoa.

(4) For the purposes of this Decree, the following definitions shall also apply:

- a) cocoa nibs mean the meal resulting from the crushing of cocoa beans which have been cleaned and de-hulled,
- b) cocoa mass means the mass resulting from the grinding of cocoa nibs,
- c) cocoa liquor means the cocoa residue resulting from the extraction of cocoa butter by pressing cocoa mass,
- d) cocoa component means the product obtained from cocoa beans used for the manufacture of chocolate referred to in points (a) to (c) and paragraph 3(b) to (d),
- e) chocolate means a chocolate product made from cocoa ingredients, natural sweeteners, sweeteners or combinations thereof, or other ingredients,
- f) milk chocolate means a product made from cocoa ingredients, natural sweeteners, sweeteners or a combination thereof, or other ingredients, containing not less than 14 % milk solids obtained from whole milk, semi-skimmed milk or skimmed milk, cream, concentrated or dried cream, butter or milk fat,
- g) milk chocolate for cooking means a chocolate product made from cocoa ingredients, natural sweeteners, sweeteners or combinations thereof, or other ingredients, containing at least 20% milk solids obtained from concentrated or dried whole milk, semi-skimmed milk or skimmed milk, cream or concentrated or dried cream, butter or milk fat,
- h) white chocolate means a chocolate product made from cocoa butter, possibly from other ingredients, containing at least 14% dry milk solids obtained from condensed or dried whole milk, semi-skimmed milk or skimmed milk, cream, or from concentrated or dried cream, butter or milk fat, or from other ingredients, natural sweeteners, sweeteners or a combination thereof,
- i) filled chocolate or chocolate confectionery with chocolate filling means a chocolate product the outer layer of which consists of chocolate, milk chocolate, milk chocolate for cooking or white chocolate, the inner filling of which may not consist of bakery products, fine bakery wares, biscuits or frozen creams, where the outer chocolate portion is at least 25% of the total weight of the product;
- j) chocolate a la taza means a chocolate product made from cocoa ingredients, natural sweeteners, sweeteners or combinations thereof, flour or wheat, rice or maize starch, or other ingredients, in which the flour or starch content does not exceed 8%,
- k) chocolate familiar a la taza means a chocolate product made from cocoa ingredients, natural sweeteners, sweeteners or combinations thereof, flour or wheat, rice or maize starch, or other ingredients, in which the flour or starch content does not exceed 18%,
- l) chocolate bonbon means a bite-size chocolate product made of filled chocolate, of one type of chocolate or of a combination or a mixture of chocolate under (e) to (h) and other edible ingredients, in which the total chocolate content is at least 25% of the total weight of the product.

(5) For the purposes of this Decree, the following definitions shall also apply:

- a) honey means the natural sweet substance produced by honeybees *Apis mellifera* from the nectar of plants or secretions of living parts of plants or excretions of plant-sucking insects on the living parts of plants, which the bees collect, transform by mixing with their own specific substances and deposit, dehydrate, store and leave in honeycombs to ripen and mature,
- b) blossom honey or nectar honey means honey obtained from the nectar of plants,
- c) honeydew honey or forest honey means honey originating predominately from the excretions of plant-sucking *Hemiptera* insects that are found on the living parts of plants or secretions from living parts of plants;
- d) honeycomb honey means honey deposited by bees in the broodless cells of combs freshly built by them or in thin backing combs made only of beeswax, sold in closed whole combs or parts of such combs,
- e) cut comb honey means honey containing one or more pieces of comb honey,
- f) drained honey means honey obtained by draining decapped broodless combs,
- g) extracted honey means honey obtained by centrifuging decapped broodless combs,
- h) pressed honey means honey obtained by pressing broodless combs with or without the application of moderate heat not exceeding +45°C,
- i) baker's honey or industrial honey means honey intended solely for industrial use or as an ingredient in other foodstuffs which are then processed and which may have a foreign taste or odour or may exhibit incipient fermentation or has been heated or has been obtained by removing foreign inorganic or organic substances so that significant amounts of pollen are removed.

Natural sweeteners

§ 3

(1) The classification of natural sweeteners into types, groups and subgroups is provided in Annex 1 to this Decree.

(2) In addition to the information specified in the Regulation on the provision of food information to consumers⁵⁾ and in the Act and Decree on certain labelling methods of foodstuffs⁶⁾, natural sweeteners shall be indicated in:

- a) dextrose: name of subgroup,
- b) fructose and caramel syrup: name of group and
- c) name of group and subgroup.

(3) The sensory, physical and chemical quality requirements for natural sweeteners are set out in Tables 1 to 8 of Annex 2 to this Decree.

(4) White sugar or extra white sugar may be designated with the name 'sugar'.

(5) In the case of liquid sugar, liquid invert sugar and inverted sugar syrup, the dry solids content and the invert sugar content in dry solids shall be indicated.

⁵⁾ Regulation (EU) No 1169/2011 of the European Parliament and of the Council, as amended.

⁶⁾ Decree No 417/2016 on certain methods of labelling foodstuffs.

§ 4

(1) The designation 'liquid sugar', 'liquid invert sugar' and 'inverted sugar syrup' may be supplemented by the designation 'white' provided that the physical and chemical requirements specified in Table 8 of Annex 2 to this Decree are met.

(2) If the inverted sugar syrup contains sugar crystals, it shall be indicated with the word 'crystalline' on the label.

(3) The designation 'glucose syrup' shall be changed to 'glucose-fructose syrup' and the designation 'dried glucose syrup' shall be changed to 'dried glucose-fructose syrup' if the product contains fructose in excess of 5% by dry weight and the glucose content exceeds the fructose content, or shall be changed to 'fructose-glucose syrup' or 'dried fructose-glucose syrup' if the fructose content exceeds the glucose content.

(4) The content of anti-caking agents in powdered sugar is permitted up to a maximum of 3%.

(5) Sugar may not be subjected to the blueing process.

(6) Sugar shall be stored at a relative humidity of not more than 70%.

§ 5

(1) In the case of packaged dextrose, fructose, extra white sugar, white sugar, semi-white sugar, candy sugar, liquid sugar, liquid invert sugar, inverted sugar syrup, glucose syrup and dried glucose syrup weighing less than 20 g, the net weight of the product need not be indicated on the packaging.

(2) The average quantity of a consumer package of natural sweeteners, except for packages up to 20 g in weight under Paragraph 1, shall be the weight of the consumer package of natural sweeteners without packaging, taking the permissible negative weight deviation into account as set out in Tables 1 and 2 of Annex 3 to this Decree.

(3) Glucose syrup may be designated as 'starch syrup'. Dried glucose syrup may be designated as 'dried starch syrup'.

§ 6

Foods with sweetening effects

(1) The classification of foods with sweetening effects into types, groups and subgroups is provided in Annex 4 to this Decree.

(2) In addition to the details referred to in the Regulation on the provision of food information to consumers, the Act and the Decree on certain methods of labelling foodstuffs, the group and subgroup shall be indicated for foods with sweetening effects.

§ 7

Bulk transport of raw sugar by sea

(1) Bulk transport of raw sugar by sea is permitted in receptacles, containers or tanks not used exclusively for the transport of foodstuffs if

- a) the receptacles, containers or tanks were cleaned before loading the raw sugar so that the residues of the previous cargo and residues of other impurities are removed, and
- b) the cargo of raw sugar was not preceded by bulk transport of liquids.

(2) Detailed documentation must be kept on bulk transport of raw sugar by sea. This documentation must contain an accurate and detailed description of the immediately preceding cargo carried in the receptacle, container or tank, and of the method and effectiveness of the cleaning process used before transporting the raw sugar. This documentation must also be clearly and indelibly marked in one or more languages of the European Union: 'This product must be refined before being used for human consumption.'

(3) The documentation referred to in Paragraph 2 must accompany the consignment throughout the transport to the sugar refining facility and a copy thereof must be kept at said facility.

(4) The documentation referred to in Paragraph 2 and a copy thereof must be presented for inspection at the request of the supervisory authority⁷⁾.

(5) Raw sugar transported by sea in receptacles, containers or tanks not intended solely for the transport of foodstuffs may only be considered suitable for use as food or as an ingredient of food if it has undergone complete and effective refining.

(6) The procedure for cleaning the receptacles, containers or tanks before loading the raw sugar as referred to in Paragraph 1(a) shall be carried out in a manner that precludes the risk of impairing the health safety of the refined sugar in light of the nature of the cargo being transported.

§ 8

Confectionery

(1) The classification of confectionery into groups and subgroups is provided in Annex 5 to this Decree.

(2) In addition to the details referred to in the Regulation on the provision of food information to consumers, the Act and the Decree on certain methods of labelling foodstuffs, the group and subgroup shall be indicated for foods with sweetening effects.

(3) The quality and technological requirements for confectionery are set out in Annex 6 to this Decree.

(4) The physical and chemical requirements for the quality of confectionery are set out in Annex 7 to this Decree.

(5) The average quantity of a consumer package of confectionery shall be the weight of the consumer package of confectionery without packaging, taking the permissible negative weight deviation into account as set out in Annex 8 to this Decree.

⁷⁾ § 14 of Act No 110/1997 on foodstuffs and tobacco products and amending and supplementing certain related acts, as amended.

§ 9
Cocoa beans

(1) Cocoa beans shall be stored separately from substances with strong odours and aromas.

(2) Cocoa beans must be protected from direct sunlight when placed on the market.

(3) The moisture content of cocoa beans when placed on the market must not exceed 8%.

(4) Cocoa beans shall be stored at a relative humidity not exceeding 70%.

Cocoa products

§ 10

(1) The classification of cocoa products into groups is specified in Annex 9 to this Decree.

(2) In addition to the details referred to in the Regulation on the provision of food information to consumers, the Act and the Decree on certain methods of labelling foodstuffs, the group shall be indicated for cocoa products.

(3) In the case of chocolate powder and chocolate for the preparation of a beverage, the total content of dry cocoa solids in per cent by weight shall be indicated by the words 'dry cocoa solids not less than ... %' or 'dry cocoa solids content not less than ... %'.

(4) Cocoa and mixtures of cocoa with sugar shall be labelled with the words 'reduced fat' if the content of cocoa butter is less than 20% in relation to the product's dry weight. The actual cocoa butter content shall be indicated on the label.

(5) Flavourings which imitate the taste of chocolate or milk fat may not be added to cocoa powder, reduced fat cocoa powder, chocolate powder, chocolate for the preparation of beverages and chocolate for the preparation of reduced fat beverages.

§ 11

(1) The physical and chemical requirements for the quality of cocoa powder are set out in Annex 10 to this Decree.

(2) The physical and chemical requirements for the quality of cocoa butter are set out in Annex 11 to this Decree.

(3) The average quantity of a consumer package of cocoa products shall be the weight of the consumer package of cocoa products without packaging, taking the permissible negative weight deviation into account as set out in Annex 12 to this Decree.

Chocolate products

§ 12

(1) The classification of chocolate products into groups is provided in Annex 13 to this Decree.

(2) In addition to the information contained in the Regulation on the provision of food to consumers, in the Act and in the Decree on certain methods of labelling foodstuffs, the following shall be indicated for chocolate products:

- a) the name of the group,
- b) the flavouring ingredient and
- c) in the case of filled chocolates and chocolates, the type of filling or insert, and, in the case of filled chocolates, the type of outer layer under § 2(4)(i).

(3) If the name of the chocolate is accompanied by the designation

- a) 'rice' or 'flakes', the product must be placed on the market in the form of grains or flakes and must contain at least 32% total dry cocoa solids, at least 12% cocoa butter and at least 14% dry non-fat cocoa solids,
- b) 'icing', the product must contain not less than 35% total dry cocoa solids, not less than 31% cocoa butter and not less than 2.5% dry non-fat cocoa solids, or
- c) 'gianduja' nut chocolate or a name derived from the word 'gianduja', the product must be made of chocolate containing not less than 32% total dry cocoa solids and not less than 8% non-fat cocoa solids and finely ground hazelnuts in quantities of not less than 20 g and not more than 40 g of hazelnuts per 100 g of the product; the following additional ingredients may be added
 1. milk or milk powder obtained from partly or wholly dehydrated whole milk, semi-skimmed milk or skimmed milk, cream, or concentrated or dried cream, in such quantity that the total milk solids content of the final product is less than or equal to 5% by weight of the product, or
 2. almonds and other nuts, whole or broken, in such quantity that the total content of these ingredients, including hazelnuts, does not exceed 60% of the total weight of the product.

(4) If the name of the milk chocolate is accompanied by the designation:

- a) 'rice' or 'flakes', the product must be placed on the market in the form of grains or flakes and must contain at least 20% total dry cocoa solids, at least 12% dry milk solids obtained from partly or wholly dehydrated whole milk, semi-skimmed milk or skimmed milk, cream or from partly or wholly dehydrated cream, butter or milk fat, and not less than 12% total fat, understood to be the sum of cocoa butter and milk fat content,
- b) 'icing', the product must contain at least 31% total fat, which is the sum of the cocoa butter and milk fat content, or
- c) 'gianduja' nut milk chocolate or a name derived from the word 'gianduja', the product must be produced from milk chocolate containing not less than 10% dry milk solids, obtained from condensed or dried whole milk, semi-skimmed milk or skimmed milk, cream or from concentrated or dried cream, butter or milk fat and from finely ground hazelnuts in a quantity of not less than 15 g and not more than 40 g in 100 g of the product; almonds and other types of nuts, whole or broken, may be added in such quantity that the total content, including hazelnut, does not exceed 60% of the total weight of the product.

(5) If the word 'milk' in the name of the food 'milk chocolate' is replaced by the word

- a) 'cream', the product must contain at least 5.5% milk fat, or
- b) 'skimmed milk', the total milk fat content of the product may not exceed 1%.

(6) In the name of chocolate, milk chocolate and chocolate coatings made of chocolate or milk chocolate, information on higher product quality or descriptions relating to quality characteristics may be added, provided that

- a) the chocolate contains not less than 43% total dry cocoa solids and not less than 26% cocoa butter,
- b) milk chocolate contains not less than 30% total dry cocoa solids, not less than 18% dry milk solids and not less than 4.5% milk fat in dry milk solids, obtained from partly or wholly dehydrated whole milk, semi-skimmed or skimmed milk, cream or from partly or

- wholly dehydrated cream, butter or milk fat, and
- c) chocolate icing contains not less than 16% dry non-fat cocoa solids.

§ 13

(1) In the case of chocolate, milk chocolate, milk chocolate for cooking, chocolate a la taza and chocolate familiar a la taza, the label shall indicate the total dry solids content of cocoa ingredients, expressed as a percentage of the total weight of the product, with the words 'at least ... % dry cocoa solids' or "dry cocoa solids content at least ... %'.

(2) If chocolate, milk chocolate, milk chocolate for cooking, white chocolate, filled chocolate or chocolate bonbons are sold simultaneously in a mixture in one package, the product may only be labelled with the name 'assortment of chocolates', 'collection of filled chocolates' or similar names. In this case, a single list of ingredients may be given for all chocolate in the assortment.

(3) Other ingredients may be added to chocolate, milk chocolate, milk chocolate for cooking, white chocolate, chocolate a la taza and chocolate familiar a la taza, up to a maximum of 40 % of the total weight of the product.

(4) It is prohibited to add the following to chocolate, milk chocolate, milk chocolate for cooking, white chocolate, chocolate a la taza and chocolate familiar a la taza:

- a) animal fats not originating exclusively from milk, or
- b) flour, granulated or powdered starches, with the exception of chocolate a la taza and chocolate familiar a la taza.

(5) It is prohibited to add flavourings which imitate the taste of chocolate or milk fat to chocolate, milk chocolate, milk chocolate for cooking, white chocolate, chocolate a la taza and chocolate familiar a la taza.

(6) The percentages of specified ingredients and their values in chocolate products shall be calculated as follows:

- a) the percentage of specified ingredients in chocolate, milk chocolate, milk chocolate for cooking, white chocolate, chocolate a la taza, chocolate familiar a la taza is calculated after deducting the weight of the edible ingredients added;
- b) in the case of filled chocolate and chocolate sweets, the percentage of the specified ingredients is calculated after deducting the weight of the edible ingredients added and the weight of the filling, or
- c) the percentage content of the type of chocolate used in filled chocolate and chocolate bonbons is calculated in relation to the total weight of the finished product including filling.

§ 14

(1) The physical and chemical quality requirements for chocolate products are set out in Table 1 of Annex 14 to this Decree.

(2) In addition to cocoa butter, the vegetable fats listed in Table 2 of Annex 14 to this Decree may be added to chocolate, milk chocolate, milk chocolate for cooking, white chocolate, chocolate a la taza, chocolate familiar a la taza. However, their proportion may not be greater than 5 % in the product after deducting the total weight of all other edible ingredients used and the minimum content of cocoa butter or total dry cocoa solids may not be reduced.

(3) Chocolate to which vegetable fat may be added in accordance with Paragraph 2 shall be labelled with the words 'contains vegetable fats in addition to cocoa butter'. This indication

shall appear in the same field of view as the list of ingredients, but clearly separated from it and in at least the same capital letters as the ingredients.

(4) The average quantity of a consumer package of chocolate products shall be the weight of the consumer packaging of unpackaged chocolate products, taking the permissible negative weight deviation into account as set out in Annex 15 to this Decree.

(5) The use of coconut oil is permitted in chocolates used in the production of frozen creams.

Honey

§ 15

(1) Honey is divided into blossom honey and honeydew honey, depending on its origin.

(2) Depending on the method of obtaining or commercial processing, honey is divided into

- a) extracted honey,
- b) comb honey,
- c) pressed honey,
- d) drained honey,
- e) cut comb honey, and
- f) baker's honey.

(3) In addition to the details referred to in the Regulation on the provision of food information to consumers, the Act and the Decree on certain methods of labelling foodstuffs, honey shall also be labelled

- a) by origin as per Paragraph 1,
- b) by method of obtaining or commercial processing as per Paragraph 2, and
- c) by country or countries of origin where it was collected; if it originates from more than one country, the countries of origin where it was collected shall be indicated on the label in the main field of view in descending order of their proportion by weight, together with the percentage represented by each of those countries of origin; for each individual proportion of the mixture, a tolerance of 5% shall be allowed, calculated based on the business entity's traceability documentation.-

(4) The labelling of honey, with the exception of baker's honey, may be supplemented by

- a) a regional, territorial or local designation of origin, provided that the product originates entirely from the indicated source of origin;
- b) in relation to the origin of the honey referred to in paragraph 1, by the name 'single-flower' or 'blended',
- c) information on the origin of the flowers or parts of plants from which it originates, provided that the product originates wholly or predominately from that source and has the appropriate organoleptic, physiochemical and microscopic characteristics corresponding to the origin specified, or
- d) the specific criteria for its quality.

(5) In the case of extracted, pressed or drained honey, the origin under Paragraph 1 and the method of obtaining and commercial processing under Paragraph 2 need not be indicated and the product may be labelled only as 'honey'.

(6) Baker's honey must be marked on all packaging near the name with an indication that the honey is only intended for cooking, baking or other processing.

§ 16

(1) Baker's honey shall be marked with the words 'baker's honey' or 'industrial honey' on transport containers, packaging and commercial documents. If baker's honey is added to another type of honey, the mixture of these honeys shall be designated as 'baker's honey' or 'industrial honey'.

(2) If baker's honey is used as an ingredient in a food with multiple ingredients, the word 'honey' may be used in the name of that food instead of the words 'baker's honey' or 'industrial honey'. However, the name 'baker's honey' or 'industrial honey' must always appear in the list of ingredients.

(3) In the case of packages containing honey with a net weight of less than 30 grams, the names of the countries of origin may be replaced by a two-letter code in accordance with International Standard ISO 3166-1 for two-letter codes (alpha-2).

(4) The sensory, physical and chemical quality requirements for honey are set out in Annex 16 to this Decree.

(5) No other foodstuffs, including food additives, may be added to honey when it is placed on the market or used in any product intended for human consumption, and no substances other than honey may be added to it. Honey is predominately made up of various sugars, mainly glucose and fructose, and other substances such as organic acids, enzymes and solid particles captured during honey collection. Honey must be free of organic or inorganic matters foreign to its composition.

(6) Pollen or any other specific component of honey may not be removed from honey, except where this cannot be prevented when removing foreign inorganic and organic matter.

§ 17

(1) Pollen, which is a natural part of honey, is not considered to be an ingredient of honey pursuant to Article 2(2)(f) of the Regulation on the provision of food information to consumers.

- (2) Honey, with the exception of baker's honey, may not
- have any foreign flavours or odours;
 - begin to ferment or foam,
 - be heated to such an extent that its natural enzymes are destroyed or significantly inactivated, or
 - have artificially altered acidity.

(3) The average quantity of a consumer package of honey or honey-based products shall be the weight of the consumer package of honey or honey-based product without packaging, taking the permissible negative weight deviation into account as set out in Annex 17 to this Decree.

(4) Blossom honey may be labelled as 'nectar honey'.

§ 18

Technical regulation

This Decree was notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

§ 19
Transitional provisions

Natural sweeteners, foodstuffs with sweetening effects, confectionery, cocoa beans, cocoa and chocolate products and honey placed on the market or labelled before the date of entry into effect of this Decree in accordance with the requirements of Decree No 76/2003 laying down requirements for natural sweeteners, honey, confectionery, cocoa powder and mixtures of cocoa with sugar, chocolate and chocolate candy, in the version in effect prior to the date of entry into effect of this Decree, may be sold until stocks are exhausted.

§ 20
Repealing provisions

The following are repealed:

1. Decree No 76/2003 laying down the requirements for natural sweeteners, honey, confectionery, cocoa powder and cocoa mixtures with sugar, chocolate, and chocolate sweets.
2. Decree No 43/2005 amending Decree No 76/2003 laying down the requirements for natural sweeteners, honey, confectionery, cocoa powder and cocoa mixtures with sugar, chocolate, and chocolate sweets.
3. Decree No 148/2015 amending Decree No 76/2003 laying down the requirements for natural sweeteners, honey, confectionery, cocoa powder and cocoa mixtures with sugar, chocolate, and chocolate sweets, as amended by Decree No 43/2005.

§ 21
Effective date

This Decree shall come into effect on 14 June 2026.

Minister of Agriculture:

Classification of natural sweeteners into types, groups and subgroups

Type	Group	Subgroup
dextrose	dextrose	dextrose monohydrate
		anhydrous dextrose
	glucose syrup	-
	dried glucose syrup	-
fructose	fructose	-
sugar	extra white sugar white sugar semi-white sugar	crystalline coarse powdered sugar/powdered sugar without anti-caking agents
	sugar with additives ^{*)}	-
	powdered sugar with anti-caking agents	-
	candy sugar	-
	liquid sugar	-
	liquid invert sugar	-
	inverted sugar syrup	-
	cane sugar	-
caramel syrup	caramel syrup	-

^{*)} with indication of a specific aroma or spice

Sensory, physical and chemical quality requirements for natural sweeteners

Table 1
Physical and chemical requirements for dextrose

	Dextrose (D-glucose) (minimum % by weight of dry solids)	Dry solids (minimum % by weight)	Sulphated ash (maximum % by weight of dry solids)
dextrose monohydrate	99.5	90.0	0.25
anhydrous dextrose	99.5	98.0	0.25

Table 2
Physical and chemical requirements for glucose syrup and dried glucose syrup

	dry solids (minimum % by weight of dry solids)	Dextrose equivalent expressed as D- glucose (minimum % by weight)	Sulphated ash (maximum % by weight of dry solids)
glucose syrup	70.0	20.0	1.0
dried glucose syrup	93.0	20.0	1.0

Table 3
Physical and chemical requirements for fructose

	fructose content (minimum % by weight)	glucose content (maximum % by weight)	loss on drying (maximum % by weight)	conductometric ash (maximum % by weight)	solution colour at 420 nm (maximum IU)
fructose	98.0	0.5	0.5	0.1	30.0

Table 4
Physical and chemical requirements for sugar

Product	Polarimetric sucrose (minimum % by weight)	Invert sugar (maximum % by weight)	Loss on drying (maximum % by weight)	Solution colour at 420 nm (maximum IU)
extra white sugar	99.7	0.04	0.06	22.5
white sugar	99.7	0.04	0.06	45
semi-white sugar	99.5	0.1	0.1	150
sugar with additives	85.0	-	1.25	-
powdered sugar	96.7	0.1	0.7	-

containing anti-caking agents				
candy sugar	98.5	-	1.0	-

Note: a maximum content of 50 mg/kg of insoluble matter is permitted for the groups extra-white sugar, white sugar, semi-white sugar.

Table 5
Physical and chemical evaluation of white and extra white sugar

	Extra white sugar	White sugar
Maximum total points	8	-
of which: Ash – maximum points	6	-
Colour in solution – maximum points	3	-
Colour type – maximum points	4	9

Note: one point corresponds to

- 0.0018 % of ash content determined by conductometry according to the method of the International Commission for Uniform Methods of Sugar Analysis (ICUMSA),
- 7.5 ICUMSA (IU) units for colour in solution,
- 0.5 units of colour types according to the Brunswick method.

Table 6
Classification of crystalline sucrose by particle size

Length of the mesh side of the control screen (mm)	crystal sugar	coarse sugar	powdered sugar
2.00 - 0.40	minimum 70.0		
1.00 - 0.16 over 1.00		at least 70 maximum 15	
0.80 - 0.40			maximum 10.0
Under 0.40			minimum 90.0

Table 7
Sensory requirements for crystalline sucrose

crystal sugar	free-flowing mixture of crystals of uniform grain size
coarse sugar	free-flowing mixture of smaller or crushed crystals of uniform grain size
powdered sugar	free-flowing mixture of finely crushed crystals
cane sugar	free-flowing mixture of crystals of uniform grain size coated with a layer of cane molasses
candy sugar	mixture of large crystals and aggregates thereof, white, yellow to brown in colour

Table 8
Physical and chemical requirements for aqueous solutions of sugars

Product	Dry solids via refractometry (minimum % by weight)	Invert sugar in dry solids (% weight)	pH	Conductometric ash in dry solids (maximum % by weight)	Colour of solution at 420 nm (ICUMSA maximum)
liquid sugar	62.0	maximum 3 ^{*)}	-	0.1	45.0
liquid white sugar	62.0	maximum 3	-	0.1	25.0
liquid invert sugar	62.0	more than 3 ^{**)} maximum 50	-	0.4	-
white liquid invert sugar	62.0	more than 3 maximum 50	-	0.1	25.0
inverted sugar syrup	62.0	more than 50	-	0.4	-
white inverted sugar syrup	62.0	more than 50	-	0.1	25.0

^{*)} ratio of fructose to anhydrous glucose 1.0 ± 0.2

^{**)} ratio of fructose to anhydrous glucose 1.0 ± 0.1

Permissible negative weight deviations of consumer package of natural sweeteners

Table 1

Permissible negative weight deviations of consumer package of crystalline forms of natural sweeteners

Package weight	Permissible negative weight deviation
up to 50 g	- 10.0 %
51–250 g	- 4.0 %
251–500 g	- 3.0 %
501–1000 g	- 2.0 %
1001 g and over	- 1.0 %

Table 2

Permissible negative weight deviations of consumer package of aqueous solutions of natural sweeteners

Package weight	Permissible negative weight deviation
up to 300 ml	- 5.0 %
301–1000 ml	- 4.0 %
1001 ml and above	- 3.0 %

Classification of foods with sweetening effects by type, group and sub-group

Type	Group	Subgroup
food with sweetening effects	by common name of the plant ^{*)}	by technological processing ^{**)}

^{*)} For example: coconut, chicory, agave, date.

^{**)} For example: sugar, syrup, paste.

Classification of confectioneries into groups and subgroups

Type	Group	subgroup
confectionery	caramel	according to flavouring ingredient used
	dragée	
	agar jelly	
	starch jelly	
	jelly pectin	
	other jelly	
	Turkish delight	
	halva	
	Turkish honey	
	liquorice confectionery	
	foam confectionery	according to filling/insert used
	nougat	
	compressed candy	
	drops	
	rock candy	
	foure	
	marzipan	
	fondant confectionery	
	bubble chewing gum	
	stick chewing gum	
	dragée chewing gum	

Quality and technological requirements for confectionery

Name of confectionery	Quality and technological requirements
caramel	confectionery made from an aqueous solution of sucrose and glucose syrup, or other ingredients such as milk, condensed milk, cream, concentrated cream, butter, butterfat or vegetable fat, or combinations thereof
dragée	a confectionery of thick to hard consistency made from an aqueous solution of sucrose and glucose syrup or other ingredients which is formed by the gradual application of sugar or non-sugar layers around an insert which forms the centre of the confectionery
jelly	confectionery made from an aqueous solution of sucrose and glucose syrup, and possible other ingredients, with a gelatinous consistency produced by the addition of gelling agents
Turkish delight	starch jelly coated with a mixture of icing sugar and starch, possibly with the addition of other ingredients
halva	confectionery of a pasty consistency made from whipped candy mass with a foaming agent and fat or other ingredients
Turkish honey	confectionery on the basis of sugar, egg white, honey, dry nuts or other ingredients
liquorice confectionery	confectionery made of aqueous sucrose and glucose syrup solution, flour or other ingredients whose characteristic ingredient is liquorice extract
foam confectionery or marshmallow	a confectionery of a light, foamy, chewy consistency, made by whipping an aqueous solution of sucrose and glucose syrup and gelatine with the possible addition of other ingredients
nougat	confectionery made from sugar, roasted nuts, oilseeds or vegetable fat, or combinations thereof, with the possible addition of other ingredients
compressed candy	confectionery produced by compressing flavoured and coloured powdered mixtures of natural sweeteners or sweeteners ⁴⁾ and possibly other ingredients
drops	unfilled confectionery of a hard consistency made from candy mass, and possibly other ingredients, by casting, pressing or stretching
rock candy	a confectionery of hard consistency made from candy mass or other ingredients, in the form of sticks, bars or lollipops
foure	filled hard-consistency confectionery, made of candy mass containing at least 13% solid, semi-solid, liquid or powdery filling inside
marzipan	confectionery of a semi-solid consistency made from not less than 1 part of raw marzipan mass, consisting of not less than 50% shelled almonds and not more than 50% sugar, and not more than 1 part of powdered sugar, possibly with the addition of other ingredients
fondant confectionery	confectionery of semi-solid to solid consistency with a fine crystalline structure made from an aqueous solution of sucrose and glucose syrup, or other ingredients, by a process of disrupted crystallisation to form a crystalline fondant mass
chewing gum	confectionery of distinctly gummy to tensile consistency, made from aqueous solution of sucrose and glucose syrup, plasticisers, emulsifiers, flavourings and possibly other ingredients

Note: the name of the confectionery product may be used to indicate a specific type of chocolate referred to in Annex 13 to this Decree, provided that the chocolate content is at least 5%.

Physical and chemical quality requirements for confectionery

Product	Moisture (in maximum % by weight)
caramel	-
dragée	-
jelly	22.0
Turkish delight	20.0
halva	20.0
Turkish honey	8.0
liquorice confectionery	19.0
foam confectionery	25.0
nougat	-
compressed candy with glucose	10.0
other compressed candy	7.0
cast drops	5.0
pressed drops	5.0
stretched drops	6.0
rock candy	6.0
foure	-
marzipan	-
fondant confectionery	12.0
chewing gum	7.5 ^{*)}

^{*)} at + 105 °C

Permissible negative weight deviations of a consumer package of confectionery

Package weight	Permissible negative weight deviation
up to 105 g	- 10.0 %
106–150 g	- 8.0 %
151–250 g	- 5.0 %
251–500 g	- 3.0 %
501–1000 g	- 2.0 %
1001 g and over	- 1.0 %

Note: in the case of bagged products, the proportion of fine chips may not exceed 2% by weight for drops and four and 5% by weight for compressed candy.

Classification of cocoa products into groups

Type	Group
cocoa product	cocoa powder
	reduced fat cocoa powder
	powdered chocolate
	chocolate for the preparation of a beverage
	chocolate for the preparation of a reduced fat beverage

Physical and chemical requirements for cocoa powder

Product	Cocoa butter content in dry solids (% by weight)	Moisture content (in maximum % by weight)
cocoa powder	minimum 20.0	9.0
reduced fat cocoa powder	less than 20.0	9.0

Physical and chemical requirements for cocoa butter

Product	Unsaponified substances (determined using petroleum ether) in maximum % by weight	Free fatty acid content (expressed as oleic acid) in maximum % by weight
cocoa butter	0.50	1.75
pressed cocoa butter	0.35	1.75

Permissible negative weight deviations of a consumer package of cocoa products

Package weight	Permissible negative weight deviation
up to 100 g	- 5.0 g
101–250 g	- 3.0 g
251–500 g	- 2.0 g
501–1000 g	- 1.0 g

Classification of chocolate products into groups

Type	Group
chocolate product	chocolate/dark chocolate
	milk chocolate
	white chocolate
	milk chocolate for cooking/family milk chocolate
	chocolate a la taza
	chocolate familiara a la taza
	chocolate bonbon/praline

Physical and chemical requirements for chocolate products

Table 1

Physical and chemical requirements for chocolate products (in % by weight)

Group	Cocoa butter content (minimum)	Dry non-fat cocoa solids content (minimum)	Total dry cocoa solids content (minimum)	Milk fat content (minimum)	Total fat content ^{*)} (minimum)	Dry milk solids content (minimum)	Flour or starch content
chocolate	18.0	14.0	35.0	-	-	-	-
milk chocolate	-	2.5	25.0	3.5	25.0	14.0	-
milk chocolate for cooking	-	2.5	20.0	5.0	25.0	20.0	-
white chocolate	20.0	-	-	3.5	-	14.0	-
chocolate a la taza	18.0	14.0	35.0	-	-	-	maximum 8.0
Chocolate familiara a la taza	18.0	12.0	30.0	-	-	-	not more than 18.0

^{*)} total fat content = sum of cocoa butter and milk fat content

Table 2

Vegetable fats permitted in chocolate products

Common name of vegetable fat	Botanical name of the plant from which said fats may be obtained
1. Illipe, Borneo butter or tengkawang	<i>Shorea spp.</i>
2. Palm oil	<i>Elaeis guineensis</i> <i>Elaeis olifera</i>
3. Sal	<i>Shorea robusta</i>
4. Shea (bamboo butter, shea oil)	<i>Butyrospermum parkii</i>
5. Kokum gurgi	<i>Garacinia indica</i>
6. Mango kernel oil	<i>Magnifera indica</i>

Note: the aforementioned fats must meet the following requirements:

- must be free of lauric acid, rich in symmetrical monogenic triglycerides of the POP, POST and StOSt type^{*)},
- must be miscible in any proportion with cocoa butter and compatible with its physical characteristics (melting point and crystallisation temperature, melting speed, need for tempering),
- only obtained through refining or fractionation, which rules out enzymatic modification of the triglyceride structure.

^{*)} P = palmitic acid, O = oleic acid, St = stearic acid

Permissible negative weight deviations of a consumer package of chocolate products

Table 1

Permissible negative weight deviations of a consumer package of chocolate products, except for chocolate bonbons

Package weight	Permissible negative weight deviation
up to 50 g	- 10.0 %
51–100 g	- 5.0 %
101–250 g	- 3.0 %
250–500 g	- 2.0 %
501–1000 g	- 1.0 %

Table 2

Permissible negative weight deviations of a consumer package of chocolate bonbons

Package weight	Permissible negative weight deviation
up to 105 g	- 10.0 %
106–150 g	- 8.0 %
151–250 g	- 5.0 %
251–500 g	- 3.0 %
501–1000 g	- 2.0 %
1001 g and over	- 1.0 %

Sensory, physical and chemical requirements for honey

Table 1
Sensory requirements for honey

Product	consistency and appearance	taste ^{*)}	colour
blossom honey	slightly to highly viscous, liquid, partially to fully crystalline	distinctly sweet to coarse	watery clear with a greenish tinge, slightly yellow to golden yellow
honeydew honey	slightly to highly viscous, liquid, partially to fully crystalline	sweet, possibly spicy to slightly coarse	dark brown with reddish brown tinge

^{*)} The flavour and odour of honey differ, but are derived from the origin of the plant.

Table 2
Chemical and physical requirements for honey

Requirement	Honey		
	blossom	honeydew	baker's or industrial
sum of fructose and glucose content (sum of both) (at least in % by weight)	60.0	45.0 ¹⁾	-
sucrose content (maximum in % by weight)	5.0 ²⁾	5.0	5.0
water content (maximum in % by weight)	20.0 ³⁾	20.0	23.0 ⁴⁾
water insoluble content (maximum in % by weight) ⁵⁾	0.10	0.10	0.10
electrical conductivity (mS.cm ⁻¹) ⁶⁾	maximum 0.8 ⁷⁾	minimum 0.8 ⁸⁾	-
free acid content (maximum milliequivalents of acid per 1000 g)	50	50	80
diastasis activity (minimum degrees on Schade scale) ⁹⁾	8	8	-
hydroxymethylfurfural (maximum mg/kg) ¹⁰⁾	40 ¹¹⁾	40	-

¹⁾ Also applies to mixtures of honeydew honey with blossom honey.

²⁾ a maximum sucrose content 10.0% is permitted in honey from the acacia thorn tree (*Robinia pseudoacacia*), alfalfa (*Medicago sativa*), firewood banksia (*Banksia menziesii*), sweetvetch (*Hedysarum*), eucalyptus (*Eucalyptus camadulensis*), leatherwood (*Eucryphia lucida*, *Eucryphia miliganii*) and citrus (*Citrus spp.*). A sucrose content of maximum 15.0% is permitted for lavender honey (*Lavandula spp.*) and starflower honey ge (*Borago officinalis*).

³⁾ A maximum of 23.0% water is permitted for heather honey (*Calluna*).

⁴⁾ A maximum of 25.0 % water is permitted for baker's heather honey (*Calluna*).

⁵⁾ A maximum water-insoluble content of 0.50% by weight is permitted for pressed honey.

- 6) Exceptions: honey from the strawberry tree (*Arbutus unedo*), heather (*Erica*), eucalyptus (*Eucalyptus camaldulensis*), linden (*Tilia spp.*), common heather (*Calluna vulgaris*), tea tree (*Leptospermum*) and honey myrtle (*Melaleuca spp.*).
- 7) Applies to all honeys except honeydew, chestnut and honeys listed in Note 6.
- 8) Applies to honeydew honey and chestnut honey and mixtures thereof, except those listed in Note 6.
- 9) A score of at least 3 on the Schade scale is permissible for honeys with a low content of natural enzymes (e.g. citrus honeys) and a hydroxymethylfurfural content of 15 mg/kg or less.
- 10) A hydroxymethylfurfural content of max. 80 mg/kg is permitted for honeys declared to be from regions with a tropical climate and for mixtures containing exclusively such honeys.
- 11) Not applicable to honeys with a low natural enzyme content (e.g. citrus honeys) and a hydroxymethylfurfural (HMF) content of 15 mg/kg or less with a score of at least 3 on the Schade scale.

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Permissible negative weight deviations for a consumer package of honey

Package weight	Permissible negative weight deviation
up to 100 g	- 8.0 %
101–250 g	- 5.0 %
251–500 g	- 3.0 %
501 g	- 1.0 %