In June 2000, after about 30 years of discussion, the European Parliament published Directive 2000/36/EC relating to cocoa and chocolate products intended for human consumption. This directive came into force throughout the EU on 3 August 2003, and harmonized chocolate legislation among all the member states. The result was that each member state has had to modify and ratify its own national legislation.

The new legislation made a number of changes to national regulations — in the labeling of chocolate, in the way in which ingredient percentages should be calculated and in permitting the inclusion of vegetable fats (cocoa butter equivalents) in chocolate in all member states. The inclusion of vegetable fats will be covered in this paper.

Up to this point the use of vegetable fat in chocolate had been permitted in the national legislation of just seven EU countries — United Kingdom, Ireland, Denmark, Sweden, Finland, Austria and Portugal. These countries already permitted the use of vegetable fats in chocolate at the time of their entry into the EU and did not change their national legislation thereafter.

It is also interesting to note that five of these countries — Austria, Ireland, Denmark, United Kingdom and Sweden — were in the top ten ranking of countries by per capita chocolate consumption in 2000. This, in itself, speaks well for a positive consumer acceptance of chocolate containing vegetable fat.

There were, in general, no constraints on the types of vegetable fats that could be used or in the processes used to make them. The new EU directive changed that by putting constraints on the base oils, on the processes that could be used and on the physico-chemical interactions between cocoa butter and the vegetable fats. We will cover the following aspects of the legislation:

• The permitted base oils
• The permitted processing options
• The required physico-chemical characteristics
• Calculation of the vegetable fat content
• Compliance monitoring
• Comparison with North American chocolate regulations

Recently Geoff Talbot started his own consultancy group, The Fat Consultant. He has worked directly or indirectly in the oils and fats industry for over 35 years, much of this time with either Unilever Research or Loders Croklaan.