



## **NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION AND CONTROL (NAFDAC)**

### **SUGAR CONFECTIONERY REGULATIONS 2023**

**COMMENTS ARE WELCOMED FROM STAKEHOLDERS WITHIN 60  
CALENDAR DAYS (ENDING 8<sup>TH</sup> DECEMBER, 2023).**

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# **SUGAR CONFECTIONERY REGULATIONS 2023**

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NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION AND CONTROL (CAP  
N1 LFN 2004)

Sugar Confectionery Regulations 2023

Commencement [                    ]

**In exercise of the powers conferred on the Governing Council of the National Agency for Food and Drug Administration and Control (NAFDAC) by Sections 5 and 30 of the NAFDAC Act Cap N1 LFN 2004 and Section 12 of the Food, Drugs and Related Products (Registration, Etc.) Act Cap F33 LFN 2004 and of all the powers enabling it in that behalf, THE GOVERNING COUNCIL OF THE NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION AND CONTROL with the approval of the Minister of Health hereby makes the following Regulations: -**

**1. Scope of Application:**

These Regulations shall apply to food products made principally from sugar, glucose, sorbitol or any other sweetening substance, other than non-nutritive sweetening substance, with or without other food, and shall include hard candy, soft candy, nougats and marzipans and other masticatory confectionery and cake decoration but shall not include chocolate, caffeinated and frozen confectioneries.

**2. Prohibition**

No person shall manufacture, import, export, advertise or offer for sale sugar confectionery specified in the schedule I to these Regulations unless it has been registered in accordance with the provisions of these Regulations.

**3. Definition and Compositional requirements of sugar confectionery**

Definitions and compositional requirements of sugar confectionery shall be as specified in Schedule "I and II" to these Regulations.

**4. General requirements for sugar confectionery**

Sugar confectionery shall comply with the following requirements:

**a. Hard boiled candy –**

- i. The product shall be in any appropriate shape, size, and colour and shall be good in lustre with appropriate hardness.

- ii. The flavor and taste shall be pleasant and free from any foreign smell or taste.
- iii. It shall not be chipped or broken and shall be free from dirt, filth and other foreign matters.

#### **b. Soft and Medium Boiled Candy**

- i. The product shall be in any desirable shape, size, and colour and shall be good in lustre with appropriate softness.
- ii. The product shall have a pleasant flavour and taste and shall not have any surface recrystallisation of sugar.
- iii. It shall be free from dirt, filth and other foreign matter.

### **5. Ingredients for sugar confectionery**

Sugar confectionery may contain but not limited to any of the following ingredients:

- i. Sweetening agents such as sugar, invert sugar, lactose, sorbitol, honey, liquid glucose;
- ii. milk and milk products;
- iii. edible molasses;
- iv. malt extracts;
- v. edible starches;
- vi. edible oils and fats;
- vii. edible common salts;
- viii. fruit and fruit products
- ix. nut and nut products;
- x. tea extract,
- xi. coffee extract,
- xii. chocolate and cocoa
- xiii. vitamins and minerals
- xiv. edible desiccated coconut;
- xv. spices and condiments and their extracts;
- xvi. candied peels
- xvii. enzymes
- xviii. permitted stabilizing and emulsifying agents;
- xix. edible food grains;
- xx. edible seeds;
- xxi. baking powder;
- xxii. puffed rice;
- xxiii. eucalyptus oil, edible camphor, menthol oil crystals, pepper mint oil;
- xxiv. thymol;

## 6. Labelling of Sugar confectionery

In addition to compliance with the Pre-packaged Food (Labelling) Regulations 2022, the following shall apply;

- a. No package of sugar confection shall be labelled with the word "fruit", "egg" or "milk" or any word of similar meaning, unless it contains at least 5 per cent of the fruit, egg, or milk as the case may be.
- b. No package of any confection to which has been added a permitted flavouring substance shall be labelled with the name of any fruit or other natural substance imitated in flavour unless the name is conjoined in uniform lettering with the word "flavour"
- c. No picture of a fruit, or expression or device (except the name of a fruit conjoined with the word "flavour") that indicates, suggests or implies the presence of a fruit or fruit juice shall appear in the label on a package of sugar confection unless such confection contain at least 5 per cent of that fruit or fruit juice, as the case may be.

## 7. Limits of mineral hydrocarbons

Sugar confectionery shall contain not more than 0.2 part by weight of mineral hydrocarbon per 100 parts by weight of such confectionery.

## 8. Packaging

Sugar confectionery shall be packaged in food grade material which shall ensure the safety and integrity of the product.

## 9. Penalty

### Offences

and

### Penalties

- (1) Any person who contravenes any of the provisions of these Regulations commits an offence and shall be liable on conviction, in case of -
- (a) an individual, to imprisonment for a term not exceeding one year or to a fine not exceeding N300,000.00 or to both; and
  - (b) a body corporate, to a fine not exceeding N500, 000,00

**Forfeiture** after **conviction**

(1) A person convicted of an offence under these Regulations shall forfeit to the Federal Government of Nigeria –  
(a) any asset or property constituting proceeds derived from or obtained, directly or indirectly, as a result of the offence;  
(b) any of the person's property or instrument used in any manner to commit or to facilitate the commission of the offence.  
(2) In these Regulations, "proceeds" means any property derived or obtained, directly or indirectly, through the commission of the offence.

**10. Interpretation**

For the purpose of these regulations unless the context otherwise requires, the following words mean:-

**"Agency" means** National Agency for Food and Drug Administration and Control

**"Sugar confectionery" means** any solid or semi-solid product complete in itself, and suitable for direct consumption without further preparation or processing, of which the characteristic ingredient is carbohydrate sweetening matter with or without the addition of edible fat, dairy product, gelatin, edible gums, nuts or preserved fruit, and includes sweetened liquorice and chewing gum, but does not include chocolate confectionery, sugared flour confectionery, any kind of ice-cream, ice lollies, table jellies, table jelly preparations, soft drink crystals, soft drink preparations, caffeinated confectioneries or pharmaceutical products.

**"mineral hydrocarbon" means** any hydrocarbon product, whether liquid, semi-liquid or solid, derived from petroleum or synthesized from petroleum gases and includes odourless light petroleum hydrocarbons, white mineral oils, halogenated hydrocarbons, petroleum jellies, hard paraffins and micro-crystalline waxes.

**"Chewing Gum" means** - Product made from natural or synthetic gum base containing flavours, sweeteners, aroma compounds, and other additives includes bubble gum and breath-freshener gum products.

*11. Citation*

*These Regulations may be cited as Sugar Confectionery Regulations 2020*

Made at Abuja this .....Day of..... 2020

Chairman  
Governing Council  
National Agency for Food and  
Drug Administration and Control  
(NAFDAC).

Director-General,  
National Agency for Food  
and Drug Administration and  
Control (NAFDAC)

## SCHEDULE I

### Definitions

- 1. Hard-boiled candy** –shall be made of sugar mass which is boiled to a high temperature to reduce its residual moisture content to 4 percent m/m or below.  
It includes products made from water and sugar (simple syrup), colour and flavour that may or may not have a filling, their dietetic counterparts, and products that may or may not contain cocoa.
  - a. *Fruit Drops*: Fruit drops are a type of hard-boiled candy made of saccharides or saccharides added with fruits/seeds, natural/synthetic flavours, coloring agents, and acid (e.g. citric acid, tartaric acid or maleic acid).
  - b. *Butter Scotch*: Butter scotch candy is a type of hard-boiled candy with butter which is flavored sometimes with mint and has a residual moisture of 4 percent m/m or below.
  - c. *Centre Filled Candy*: Centre filled candy is a type of hard-boiled candy filled with fruit pulp, jam, treacle, liquorice, or sherbet powder.
  - d. *Crunches*: Crunches is a hard-boiled candy with sugar mass pulled to introduce air and filled with chocolate, nut paste or pralines. They can be laminated with nut paste and enrobed with thin high boiled casing.

- e. *Stripped Candy*: Stripped candy is basically a type of hard-boiled candy enrobed with a casing made with coloured strips.
- f. *Lollipop candy*- Lollipop Candy is a type of hard candy mounted on a stick.
- g. *Lozenges and Tablet Candy* - Lozenges and tablet candy are compressed products of sugar and flavoring matters to form hard, cohesive confection which contain very low residual moisture content.

This does not include those for medicinal purpose.

**2. Medium boiled candy** – shall have a residual moisture content of 6- 10 percent m/m .

- a. *Milk Toffee*: Milk toffees are made of sugar, glucose syrup, water, fat, and emulsifier with a milk product (mostly condensed milk) and has a residual moisture content of 6 - 8 percent m/m. Chocolate, nuts, honey, malt extract, and liquorice can be added to milk toffees. Other toffees include chewy toffees and aerated toffees made with an aerating agent (e.g. albumin, hydrolysed milk protein, modified soya protein, or gelatin).
- b. *Caramel*: Caramels are made of saccharides added with milk products/fats, starch, flour, fruits/seeds, flavors, coloring agents, etc. and has a unique viscosity or elasticity. Caramels have a residual moisture content of 8 - 10 percent m/m .
- c. *Fudge*: Fudge, similar to milk toffees is grained toffee. It has a controlled graining of sucrose to modify its texture.

**3. Soft boiled Candy**- Shall have a residual moisture content of 20 percent m/m or below.

- a. *Gums, Jellies and Pastilles* - Gums, jellies and pastilles are soft boiled products with a residual moisture content of 20 percent m/m or below. Depending on the type of gelling agent used, (e.g. gum Arabic, modified starch, gelatin, agar, or pectin) different textures are created.
- b. *Marshmallows* - Marshmallows are a confection of sugar syrup incorporated into whipping and gelling agents (e.g. albumin, gelatin, and hydrolysed milk protein). The residual moisture is 20 percent m/m or below.
- c. *Nougats* - Nougats are high boiled syrup containing fat to which are added frappe made from egg albumin, gelatin, hydrolysed milk protein, soya protein or in combinations with starch, gum Arabic, or agar. It shall have evenly distributed egg



white bubbles. There shall not be any surface recrystallisation of sugar. The final boiling temperature determines the texture and hardness of the confection.

- d. Sugar Coated Dragees - Dragees are made through the panning process, excluding the chocolate/nut centred dragees.

## SCHEDULE II

### Compositional Requirements

	Confectionery Product	Moisture, % (m/m), maximum	Sucrose, % minimum (m/m),
<b>Soft &amp; Medium Boiled Candy</b>	Caramel, fudge & toffees	10	30
	Nougat	8	30
	Marshmallows	20	30
	Jellies, gums & pastilles	20	30

	Dragees	2	30
<b>Hard-Boiled Candy</b>			
	Fruit drops, butter Scotch, Centre filled candy, <sup>4</sup> Crunches, Stripped Candies, Lollipops		50

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