

NAFDAC Sugar Confectionery Regulations 2025

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NAFDAC Sugar Confectionery Regulations 2025

[] Commencement

In exercise of the powers conferred on the Governing Council of the National Agency for Food and Drug Administration and Control ('the Governing Council') by Section 30 of the National Agency for Food and Drug Administration and Control 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 with the approval of the Minister makes the following Regulations: -

Part 1

Objective and Application

1. Objective

The objective of these Regulations is to provide regulatory framework for the regulation of food products made principally from sugar, glucose, sorbitol or any other sweetening substance, other than non-nutritive sweetening substance confectionery manufactured, imported, exported, advertised, sold, displayed for sale, distributed, or used in Nigeria.

2. 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 (except for chewing gum), with or without other food, and shall include hard candy, soft candy, nougats, marzipans, other masticatory confectionery including chewing gum and cake decoration but shall not include finished product like chocolate, caffeinated and frozen confectioneries.

Part II

Definition and Compositional, Registration, Labelling, Advertisement, Packaging

3. Definition and Compositional requirements of sugar confectionery

Definition and compositional requirements of sugar confectionery shall be as specified in the First and Second Schedules to these Regulations

4. Registration

Sugar confectioneries shall be registered in accordance with NAFDAC Food And Related Products Registration Regulations, 2025

5. Labelling

- (1) The labelling of sugar confectionery shall be in accordance with the Pre-packaged Food (Labelling) Regulations, 2022.
- (2) Pursuant to regulation 6(1) to this regulation, package of sugar confectionery shall
 - (a) not be labelled with the word "fruit", "egg" or "milk" or any word of similar meaning, unless it

contains at least 3 per cent of the fruit, egg, or milk.

(b) not be labelled with the name of any fruit or other natural substance imitated in flavor unless the permitted flavouring is an ingredient and the product name shall be conjoined in uniform lettering with the word "flavor." (new)

(c) not have picture of a fruit, expression or device that indicates, suggests, or implies the presence of a fruit or fruit juice shall appear in the label unless such sugar confectionery contain at least 3 per cent of that fruit or fruit juice.

(3) The percentage sucrose content shall be declared on the ingredient list.

6. Advertisement

The advertisement of sugar confectionery shall be in accordance with the Food Product Advertisement Regulations 2021.

7. Packaging

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

Part III

General Requirements, Ingredients for Sugar Confectionery, Limits of Non-Food Grade Hydrocarbons, Prohibition

8. General requirements

Sugar confectionery shall comply with the following requirements:

(1) Hard boiled candy shall be;

(a) be in any appropriate shape, size, color and be good in lustre with appropriate hardness.

(b) be pleasant and free from any foreign smell or taste.

(c) not be chipped or broken and shall be free from dirt, filth and other foreign matters.

(2) Soft and Medium Boiled Candy shall

(a) be in any desirable shape, size, color and be good in luster with appropriate softness.

(b) have a pleasant flavor, taste and not have any surface recrystallisation of sugar.

(c) be free from dirt, filth and other foreign matter.

9. Ingredients for sugar confectionery

The ingredients for sugar confectionery shall include:

(a) Sweetening agents including sugar, invert sugar, lactose, sorbitol, honey, liquid glucose;

(b) Milk and milk products.

(c) Edible molasses.

(d) Malt extracts.

(e) Edible starches.

(f) Edible oils and fats.

(g) Edible common salts.

(h) Fruit and fruit products

- (i) Nut and nut products.
- (j) Tea extract,
- (k) Coffee Extract,
- (l) Chocolate And Cocoa
- (m) Vitamins And Minerals
- (n) Edible Desiccated Coconut.
- (o) Spices And Condiments and Their Extracts.
- (p) Candied Peels
- (q) Enzymes
- (r) Permitted Stabilizing and Emulsifying Agents.
- (s) Edible Food Grains.
- (t) Edible Seeds.
- (u) Baking Powder.
- (v) Puffed Rice.
- (w) Eucalyptus Oil, Edible Camphor, Menthol Oil Crystals, Pepper Mint Oil.
- (x) Thymol
- (y) Any other ingredient as may be prescribed by the Agency.

10. **Limits of non-food grade hydrocarbons**

Sugar confectionery shall contain no more than 0.2 – 0.5 part by weight of non-food grade hydrocarbon per 100 parts by weight of such confectionery as the case may be.

11. **Prohibition**

A person shall not 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.

Part IV Offences And Penalties

12. **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 N800,000.00 or to both; and
 - (b) a body corporate, to a fine not exceeding N5,000, 000.00.
- (2) Where an offence under these Regulations is committed by a body corporate, firm or other association of individuals every: -
 - (a) director, manager, secretary or other similar officer of the body corporate.
 - (b) partner or officer of the firm.
 - (c) trustee of the body concerned.
 - (d) person concerned in the management of the affairs of the association; or

- (e) person who purports to act in a capacity referred to in paragraphs (i) to (iv) of this sub-regulation, is severally liable to be proceeded against and punished for that offence in the same manner as if he had himself committed the offence, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

13. Forfeiture after conviction

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

Part V Miscellaneous

14. 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.

“Non-food grade hydrocarbon” means any hydrocarbon product, whether liquid, semi-liquid or solid, derived from petroleum or synthesized from petroleum gases and includes odorless 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 flavors, sweeteners, aroma compounds, and other additives includes bubble gum and breath-freshener gum products.

15. Citation

These Regulations may be cited as NAFDAC Sugar Confectionery Regulations, 2025.

MADE at Abuja this.....Day of2025.

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Dr. Mansur Kabir

Chairman Governing Council

National Agency for Food and Drug Administration and Control (NAFDAC)

FIRST SCHEDULE

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), color and flavor 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 flavors, 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 but not limited to
 - d. fruit pulp, jam, treacle, liquorice, or sherbet powder.
 - e. **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.
 - f. **Stripped Candy:** Stripped candy is basically a type of hard-boiled candy enrobed with a casing made with colored strips.
 - g. **Lollipop candy-** Lollipop Candy is a type of hard candy mounted on a stick.
 - h. **Pastilles 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 purposes.

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, hydrolyzed 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. **Gummies, Jellies -** 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 confectionery of sugar syrup incorporated into whipping and gelling agents (e.g. albumin, gelatin, and hydrolyzed 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, hydrolyzed 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 finalboiling temperature determines the texture and hardness of the confection.
- d. Sugar Coated Dragees - Dragees are made through the panning process, excludingthe chocolate/nut centered dragees.

SECOND SCHEDULE

Compositional Requirements

	Confectionery Product	Moisture, % (m/m), maximum	Sucrose, % (m/m), minimum
Soft & MediumBoiled Candy			
	Caramel, fudge &toffees	10	30
	Nougat	8	30
	Marshmallows	≤12	30
	Jellies, gums & pastilles	≤12	30
	Dragees	≤12	30
Hard-Boiled Candy			
	Fruit drops, butterScotch, Centre Filled candy, Crunches, Stripped Candies, Lollipops	4 (Except for Centre Filled candy 10)	50