

	A	B	C	D
1	CLASSIFICATION OF PRODUCTS AS CANDY OR FOOD OR FOOD INGREDIENTS			SL10070A01
2		3/30/2011		Appendix 1
3				
4	<u>Item</u>	<u>Candy (Yes or No)</u>	<u>Explanation</u>	<u>Reference</u>
5	Almond bark	Y		Rule 327.6.1.A.2.a.
6	Barbecue potato chips	N	Not commonly thought of as candy	Rule 327.6.1.A.
7	Barbeque sunflower seeds	N	Not commonly thought of as candy	Rule 327.6.1.A.
8	Beer Nuts Party Mix®	Y	Contains sweetener and nuts	Rule 327.6.1.A.2. and 4.
9	Breakfast Cereals	N	Not sold in the form of bars, drops or pieces	Rule 327.6.1.A.2.c., Interpretative Opinion 2009-5
10	Breath mints	Y	Meets the definition of "food and food ingredients" (commonly consumed for taste or nutrition) and also contains sweetener, flavoring and is in pieces	Food Definition Issues Discussion Paper 1/10/2005
11	Breath sprays and strips	N	Does not meet the definition of "food and food ingredient" (not commonly ingested or chewed for taste or nutrition)	Food Definition Issues Discussion Paper 1/10/2005
12	Butterscotch chips	Y		Rule 327.6.1.A.2.b. Interpretative Opinion 2009-04
13	Candy w/liquor	Y	Does not meet the definition of "alcoholic beverage" (not a beverage)	SSUTA Library of Definitions, Appendix C, Part II
14	Canned fruit and vegetables	N	Not commonly thought of as candy	Rule 327.6.1.A.
15	Caramel apples	Y		Rule 327.6.1.A.
16	Cereal bars w/out flour	Y	Examples include Caramel Corn Rice Cakes®, Carmel Nut Granola Bars®, Kashi Go Lean® Roll Bars, Rice Krispie® Treat bars, and South Beach Living High Peanut Butter Cereal Bar®, Quaker Chewy Dipp®	Rule 327.6.1A.2.a. and 327.6.1.A.3. Interpretative Opinion 2009-05
17	Cereal bars w/flour	N	Examples include Kashi TLC Soft Baked Cereal Bars®, Kellogg's Honey Nut Special K Bars®, Fiber One Oats and Peanut Butter bars®	Rule 327.6.1A.2.a. and 327.6.1.A.3. Interpretative Opinion 2009-05
18	Chocolate chips	Y		Rule 327.6.1.A.2.b. Interpretative Opinion 2009-04
19	Chocolate covered potato chips	Y		Rule 327.6.1.A.
20	Cotton Candy	N	Not sold in form of bars, drops, or pieces (Cotton candy prepared by the seller is prepared food.)	Rule 327.6.1.A.2.
21	Cough drops	N	Defined as a "drug" or "over-the counter drug"; does not meet the definition of "food and food ingredient"	Food Definition Issues Discussion Paper 1/10/2005
22	Cracker Jacks®	Y	Candy coated peanuts and popcorn are both candy.	Rule 327.6.1.A.2.c.
23	Dried fruit w/out sweetener	N	No sweetener	Rule 327.6.1.A.5.
24	Dried fruit w/sweetener	Y		Rule 327.6.1.A.
25	Edible cake decorations	Y	Examples include letters, candle holders, and designs that are candy	Rule 327.6.1.A.
26	Flaked coconut w/out sweetener	N	Sold in form of pieces - No sweetener	Rule 327.6.1.A.2. and 5.

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27	Flaked coconut w/sweetener	Y	Sold in form of pieces - sweetener	Rule 327.6.1.A.2. and 5.
28	Fritos Honey BBQ Flavor Twists	N	Not commonly thought of as candy	Rule 327.6.1.A.
29	Frosting in containers	N	Not in form of bars, drops, or pieces	Rule 327.6.1.A.2.
30	Fruit roll-ups	Y		Rule 327.6.1.A.
31	Gluten-free candy products	Y		Rule 327.6.1.A.
32	Gluten-free non-candy products	N	Not commonly thought of as candy	Rule 327.6.1.A.
33	Gum	Y		Rule 327.6.1.A.2. and Food Definition Issues Discussion Paper 1/10/2005
34	Heath bar ® bits	Y		Rule 327.6.1.A.2.b. Interpretative Opinion 2009-04
35	Honey roasted nuts	Y	Contains sweetener and nuts	Rule 327.6.1.A.2. and 4.
36	Icing in tubes	N	Not in form of bars, drops, or pieces	Rule 327.6.1.A.2.
37	Jell-O® pudding	N	Not in form of bars, drops, or pieces	Rule 327.6.1.A.2.
38	Kit Kat ® bars	N	Contains flour	Rule 327.6.1.A.3.
39	Licorice w/flour	N	Contains flour	Rule 327.6.1.A.3.
40	Licorice w/out flour	Y		Rule 327.6.1.A.
41	Lightly Salted Rice Cakes	N	No sweetener	Rule 327.6.1.A.5.
42	Marshmallows	Y		Rule 327.6.1.A.2.c.
43	Meat products	N	Some meat products include sweeteners. For example honey glazed ham, Jack Links Teriyaki Beef Nuggets®, and Slim Jim®. Meat products are not candy.	Rule 327.6.1.A.
44	Mixed bag of individually wrapped bars - no separate ingredient listing for each bar - contains sweetener - "flour" listed on the ingredient label	See Rule	Bundling rules apply	Rule 327.6.1.B.1.b.
45	Mixed bag of individually wrapped bars - separate ingredient listing for each type of bar - contains sweetener - "flour" listed on the ingredient label for some of the bars	See Rule	Bundling rules apply	Rule 327.6.1.B.1.a.
46	Mixed package of unwrapped pieces - no separate ingredient listing for each piece - contains sweetener - "flour" not listed in the ingredient label	Y		Rule 327.6.1.A.2.c.
47	Mixed package of unwrapped pieces - no separate ingredient listing for each piece - contains sweetener - "flour" listed in the ingredient label	N	Contains flour	Rule 327.6.1.A.3.
48	Nestle Crunch®	N	Contains flour	Rule 327.6.1.A.3.
49	Pixie sticks®	N	Not in form of bars, drops, or pieces	Rule 327.6.1.A.2.

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50	Popped caramel and kettle corn	Y	Candy coated popcorn is candy.	Rule 327.6.1.A.2.c.
51	Powdered Tang®	N	Not commonly thought of as candy	Rule 327.6.1.A.
52	Spray candy	N	Not in form of bars, drops, or pieces	Rule 327.6.1.A.2.
53	Sugar cubes	N	Not commonly thought of as candy	Rule 327.6.1.A.1.
54	Throat lozenges	N	Does not meet the definition of "food and food ingredient" (not commonly ingested or chewed for taste or nutrition)	Food Definition Issues Discussion Paper 1/10/2005
55	Trail mix w/candy	N	Not sold in form of bars, drops or pieces	Rule 327.6.1.A.2.c. and Rule 327.6.1.B.2.
56	Twix bars ®	N	Contains flour	Rule 327.6.1.A.3.
57	Unpopped popcorn, regular, caramel, kettle, etc.	N	Not commonly thought of as candy	Rule 327.6.1.A.