

| | A | B | C | D | E |
|----|---|--------------------------|--|--|---|
| 1 | A motion by Wisconsin & Minnesota to adopt an appendix relating to the definition of Food & Food Ingredients and Candy | | | | |
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| 4 | CLASSIFICATION OF PRODUCTS AS CANDY OR FOOD OR FOOD INGREDIENTS | | | SL10070A01 | |
| 5 | | 2/17/2011 | | Appendix 1 | |
| 6 | | | | | |
| 7 | Item | Candy (Yes or No) | Explanation | Reference | |
| 8 | Almond bark | Y | | Rule 327.6.1.A.2.a. | |
| 9 | Barbecue potato chips | N | Not commonly thought of as candy | Rule 327.6.1.A. | |
| 10 | Barbeque sunflower seeds | Y | Contains sweetener and seeds | Rule 327.6.1.A.2. and 4. | |
| 11 | Beer Nuts Party Mix® | Y | Contains sweetener and nuts | Rule 327.6.1.A.2. and 4. | |
| 12 | Breakfast Cereals | N | Not commonly thought of as candy | Rule 327.6.1.A.2.c., Interpretative Opinion 2009-6 | |
| 13 | 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 | |
| 14 | 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 | |
| 15 | Butterscotch chips | Y | | Rule 327.6.1.A.2.b. Interpretative Opinion 2009-04 | |
| 16 | Candy w/liquor | Y | Does not meet the definition of "alcoholic beverage" (not a beverage) | SSUTA Library of Definitions, Appendix C, Part II | |
| 17 | Canned fruit and vegetables | N | Not commonly thought of as candy | Rule 327.6.1.A. | |
| 18 | Caramel apples | Y | | Rule 327.6.1.A. | |
| 19 | 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 2009-06 | |
| 20 | 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 2009-06 | |
| 21 | Chocolate chips | Y | | Rule 327.6.1.A.2.b. Interpretative Opinion 2009-04 | |
| 22 | Chocolate covered potato chips | Y | | Rule 327.6.1.A. | |
| 23 | 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. | |
| 24 | 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 | |
| 25 | Cracker Jacks® | Y | Candy coated peanuts and popcorn are both candy. | Rule 327.6.1.A.2.c. | |
| 26 | Dried fruit w/out sweetener | N | No sweetener | Rule 327.6.1.A.5. | |
| 27 | Dried fruit w/sweetener | Y | | Rule 327.6.1.A. | |
| 28 | Edible cake decorations | Y | Examples include letters, candle holders, and designs that are candy | Rule 327.6.1.A. | |
| 29 | 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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| 30 | Flaked coconut w/sweetener | Y | Sold in form of pieces - sweetener | Rule 327.6.1.A.2. and 5. | |
| 31 | Fritos Honey BBQ Flavor Twists | N | Not commonly thought of as candy | Rule 327.6.1.A. | |
| 32 | Frosting in containers | N | Not in form of bars, drops, or pieces | Rule 327.6.1.A.2. | |
| 33 | Fruit roll-ups | Y | | Rule 327.6.1.A. | |
| 34 | Gluten-free candy products | Y | | Rule 327.6.1.A. | |
| 35 | Gluten-free non-candy products | N | Not commonly thought of as candy | Rule 327.6.1.A. | |
| 36 | Gum | Y | | Rule 327.6.1.A.2. and Food Definition Issues Discussion Paper 1/10/2005 | |
| 37 | Heath bar ® bits | Y | | Rule 327.6.1.A.2.b. Interpretative Opinion 2009-04 | |
| 38 | Honey roasted nuts | Y | Contains sweetener and nuts | Rule 327.6.1.A.2. and 4. | |
| 39 | Icing in tubes | N | Not in form of bars, drops, or pieces | Rule 327.6.1.A.2. | |
| 40 | Jell-O® pudding | N | Not in form of bars, drops, or pieces | Rule 327.6.1.A.2. | |
| 41 | Kit Kat ® bars | N | Contains flour | Rule 327.6.1.A.3. | |
| 42 | Licorice w/flour | N | Contains flour | Rule 327.6.1.A.3. | |
| 43 | Licorice w/out flour | Y | | Rule 327.6.1.A. | |
| 44 | Lightly Salted Rice Cakes | N | No sweetener | Rule 327.6.1.A.5. | |
| 45 | Marshmallows | Y | | Rule 327.6.1.A.2.c. | |
| 46 | 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. | |
| 47 | 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. | |
| 48 | 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. | |
| 49 | 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. | |
| 50 | 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. | |
| 51 | Nestle Crunch® | N | Contains flour | Rule 327.6.1.A.3. | |
| 52 | Pixie sticks® | N | Not in form of bars, drops, or pieces | Rule 327.6.1.A.2. | |
| 53 | Popped caramel and kettle corn | Y | Candy coated popcorn is candy. | Rule 327.6.1.A.2.c. | |
| 54 | Powdered Tang® | N | Not commonly thought of as candy | Rule 327.6.1.A. | |
| 55 | Spray candy | N | Not in form of bars, drops, or pieces | Rule 327.6.1.A.2. | |
| 56 | Sugar cubes | N | Not commonly thought of as candy | Rule 327.6.1.A.1. | |

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| 57 | 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 | |
| 58 | 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. | |
| 59 | Twix bars ® | N | Contains flour | Rule 327.6.1.A.3. | |
| 60 | Unpopped popcorn, regular, caramel, kettle, etc. | N | Not commonly thought of as candy | Rule 327.6.1.A. | |