

# Importing confectionery

Guidance on licensing, labelling, packaging, chemical safety when importing confectionery products.

## General information

Imports of confectionery products from third countries must meet the same food hygiene and standards and procedures as food produced in GB. Confectionery products include:

- cakes
- pastries
- sweet pies
- chocolate

Can contain small amounts of products of animal origin, such as:

- eggs
- milk
- butter
- suet

They may be treated as products of animal origin when imported if they have high levels of dairy products and have not undergone sufficient heat treatment or if they are not ambient stable (if they require refrigeration).

## Preservatives, food colourings, sweeteners and flavourings

Confectionery products may contain preservatives, food colourings, sweeteners or flavourings. Although these may be approved by the food authority in the country of origin, some of them may not be approved in GB.

For information on food flavourings, sweeteners, food colourings and preservatives, please contact the Food Standards Agency (FSA)'s Food Additives team [through our online form](#).

## Gelatine

While gelatine is a product of animal origin (POAO), gelatine-based confectionery products are considered by the Department for Environment, Food and Rural Affairs (DEFRA) to be finished confectionery items and therefore are not covered by POAO regulations.

## Labelling

[Information about food labelling](#) can be found on GOV.UK

For advice on the labelling of specific products, please contact your local authority's [Trading Standards Department or Environmental Health Department](#).

## Organics

If importing organic products (live or unprocessed agricultural products, processed agricultural for use as food or feed and vegetative propagating material and seeds for cultivation), from third countries. Please contact [the Organic Imports team](#) through DEFRA's website.

DEFRA provides information on [organic regulation and standards](#) (including labelling) on their website.

## Packaging

Food contact materials and articles, including those used for food packaging, are controlled by retained UK law. This legislation is thorough in its control of plastic materials and articles intended for food use.

For information on the safety of packaging please contact the Food Contact Materials team [through our online form](#).

## Food hygiene

For general enquiries on food hygiene please contact the [Food Hygiene Policy team](#) by email.

## Sweets with toys

Some confectionery products contain toys. All toys sold in the UK must comply with the [Toy \(Safety\) Regulations 1995](#) which implement retained UK law on the safety of toys.

## Contaminants

The [Contaminants in Food \(England\) Regulations 2013](#) make provisions for enactment and enforcement of retained UK law which set out regulatory limits for contaminants in food, such as nitrate, mycotoxins, metals, 3-MCPD, dioxins and PAHs.

## Import restrictions

There are some other import restrictions/requirements that can apply to confectionery of which importers need to be aware.

### 'Higher-risk' products

Imports of certain feed and food of non-animal origin that are considered 'higher-risk' can only enter GB through authorised Border Control Posts (BCP) where controls will be carried out. A 'higher-risk' product is feed or food that is either known to be, or is, an emerging risk to public health.

## Chocolates

Although chocolates may contain milk, cream or butter in the ingredients, they are not normally considered by DEFRA to be products of animal origin. Therefore, their importation is covered by The Official Feed and Food Controls (England) Regulations 2009 (as amended).

However, if the chocolates contain a fresh cream filling, they are considered products of animal origin. The import of such products will be covered by the Trade in Animals and Related Products (TARP) (England) Regulations 2011, and similar regulations in Scotland and Wales.

These imports may only enter GB through approved Border Control Posts (BCP) where they will be checked to ensure that they comply with the relevant animal and public health conditions.

For more on [importing chocolate products](#) please contact Animal and Plant Health Agency (APHA) through their website, APHA is an Executive Agency for the Department for Environment, Food and Rural Affairs (DEFRA).

## **Milk-based sweets**

Sweets that contain high levels of dairy products are also considered to be products of animal origin when imported. This means that each batch you import may need to:

- have a veterinary and/or public health certificate
- come from a third country and third country establishment that is listed with GB to export this type of product
- enter GB through a Border Control Post (BCP) where veterinary checks must be carried out
- be pre-notified to the BCP by a Common health Entry Document (CHED P)

Examples of Indian sweets that may be considered products of animal origin are:

- gulab jamun
- halwah or halva
- ras malai
- ras gullah
- ladoos
- burfi
- chum-chum

Rules about products will depend on what percentage of the product is dairy.

For more information on [importing milk-based sweets](#) please contact the Animal and Plant Health Agency (APHA) through their website.

## **Jelly mini-cup sweets**

There are restrictions on importing jelly mini-cup sweets as well as other jelly confectionery which contains a product called Konjac, because they could pose a choking hazard.

These restrictions have been extended to include jelly mini-cups containing the following additives:

- E400 alginic acid
- E401 sodium alginate
- E402 potassium alginate
- E403 ammonium alginate
- E404 calcium alginate
- E406 agar
- E407 carageenan
- E407a processed eucheama seaweed
- E410 locust bean gum
- E412 guar gum
- E413 tragacanth

- E414 acacia gum
- E415 xanthan gum E417 tara gum
- E418 gellan gum and/or E 440 pectins

Further information on jelly sweets can be found online in Note 4 of Annex 1 to [Directive No.95/2/EC](#).

For further information on the ban of imports of jelly sweets, please contact your local [Trading Standards Office](#).

## Southampton colours

The FSA has asked the UK food industry for a voluntary withdrawal of:

- Sunset yellow (E110)
- Quinoline yellow (E104)
- Carmoisine (E122)
- Allura red (E129)
- Tartrazine (E102)
- Ponceau 4R (E124)

If a product is labelled and contains one, or more, of the six specified colours they will require a warning on the label as required by Article 24 and Annex V of [Regulation No 1333/2008](#) to indicate that the colours may have an adverse effect on activity and attention in children.

## Non-permitted ingredients, novel foods and medicinal ingredients

Many confectionery items from third countries contain ingredients that are not permitted in GB. Other ingredients may be new to GB and these may be considered novel foods – all foods that do not have a significant history of consumption within GB prior to May 1997 are subject to the terms and conditions of the Novel Foods [Regulation No 258/97](#).

Other types of confectionery are marketed as an aid to increase energy or as an aid to stop smoking – like nicotine gum – may be considered as medicinal products rather than as food items. The onus is on the importer to ensure that all the ingredients in their products are acceptable under GB food law.

To check that all the ingredients in your confectionery have a significant history of consumption in GB and do not require authorisation under the Novel Foods legislation, please contact the [Novel Foods Division](#) by email.

The use of some ingredients may mean that a product is classed as medicinal. If the product is presented as having properties for treating or preventing disease in human beings or if it contains a substance or combination of substances which may be used in or administered to human beings either with a view to restoring, correcting or modifying physiological functions by exerting a pharmacological, immunological or metabolic action, you should contact the [Medicines and Healthcare products Regulatory Agency](#) (MHRA).

## Melamine contamination of products containing milk from China

Confectionery products from China for human consumption such as chocolate containing milk may be subjected to documentary, identity and checks, including laboratory analysis, on arrival to GB. Food business operators must give prior notice to the port of entry prior to arrival and will be liable for all costs incurred resulting from official controls.

This includes products from Hong Kong and Taiwan which either enter China or were originally from China. Products imported directly from Hong Kong or Taiwan are not affected.