

	A	B	C	D
1				APPENDIX N
2	CLASSIFICATION OF PRODUCTS AS CANDY OR FOOD OR FOOD INGREDIENTS			
3	Adopted May 19, 2011 - RP11002			
4				
5	<u>Item</u>	<u>Candy (Yes or No)</u>	<u>Explanation</u>	<u>Reference</u>
6	Almond bark	Y		Rule 327.8.1.A.2.a.
7	Barbecue potato chips	N	Not commonly thought of as candy	Rule 327.8.1.A.
8	Barbeque sunflower seeds	N	Not commonly thought of as candy	Rule 327.8.1.A.2. and 4.
9	Beer Nuts Party Mix®	Y	Contains sweetener and nuts	Rule 327.8.1.A.2. and 4.
10	Breakfast Cereals	N	Not sold in the form of bars, drops or pieces.	Rule 327.8.1.A.2.c., Interpretative Opinion 2009-6
11	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
12	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
13	Butterscotch chips	Y		Rule 327.8.1.A.2.b. Interpretative Opinion 2009-04
14	Candy w/liquor	Y	Does not meet the definition of "alcoholic beverage" (not a beverage)	SSUTA Library of Definitions, Appendix C, Part II
15	Canned fruit and vegetables	N	Not commonly thought of as candy	Rule 327.8.1.A.
16	Caramel apples	Y		Rule 327.8.1.A.
17	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 Dippes®	Rule 327.8.1A.2.a. and 327.8.1.A.3. Interpretative Opinion 2009-06
18	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 327.8.1A.2.a. and 327.8.1.A.3. Interpretative Opinion 2009-06
19	Chocolate chips	Y		Rule 327.8.1.A.2.b. Interpretative Opinion 2009-04
20	Chocolate covered potato chips	Y		Rule 327.8.1.A.
21	Cotton Candy	N	Not sold in form of bars, drops, or pieces (Cotton candy prepared by the seller is prepared food.)	Rule 327.8.1.A.2.
22	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
23	Cracker Jacks®	Y	Candy coated peanuts and popcorn are both candy.	Rule 327.8.1.A.2.c.
24	Dried fruit w/out sweetener	N	No sweetener	Rule 327.8.1.A.5.
25	Dried fruit w/sweetener	Y		Rule 327.8.1.A.
26	Edible cake decorations	Y	Examples include letters, candle holders, and designs that are candy	Rule 327.8.1.A.

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27	Flaked coconut w/out sweetener	N	Sold in form of pieces - No sweetener	Rule 327.8.1.A.2. and 5.
28	Flaked coconut w/sweetener	Y	Sold in form of pieces - sweetener	Rule 327.8.1.A.2. and 5.
29	Fritos Honey BBQ Flavor Twists	N	Not commonly thought of as candy	Rule 327.8.1.A.
30	Frosting in containers	N	Not in form of bars, drops, or pieces	Rule 327.8.1.A.2.
31	Fruit roll-ups	Y		Rule 327.8.1.A.
32	Gluten-free candy products	Y		Rule 327.8.1.A.
33	Gluten-free non-candy products	N	Not commonly thought of as candy	Rule 327.8.1.A.
34	Gum	Y		Rule 327.8.1.A.2. and Food Definition Issues Discussion Paper 1/10/2005
35	Heath bar ® bits	Y		Rule 327.8.1.A.2.b. Interpretative Opinion 2009-04
36	Honey roasted nuts	Y	Contains sweetener and nuts	Rule 327.8.1.A.2. and 4.
37	Icing in tubes	N	Not in form of bars, drops, or pieces	Rule 327.8.1.A.2.
38	Jell-O® pudding	N	Not in form of bars, drops, or pieces	Rule 327.8.1.A.2.
39	Kit Kat ® bars	N	Contains flour	Rule 327.8.1.A.3.
40	Licorice w/flour	N	Contains flour	Rule 327.8.1.A.3.
41	Licorice w/out flour	Y		Rule 327.8.1.A.
42	Lightly Salted Rice Cakes	N	No sweetener	Rule 327.8.1.A.5.
43	Marshmallows	Y		Rule 327.8.1.A.2.c.
44	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 327.8.1.A.
45	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 327.8.1.B.1.b.
46	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 327.8.1.B.1.a.
47	Mixed package of unwrapped pieces - no separate ingredient listing for each piece - contains sweetener - "flour" not listed in the ingredient label	Y		Rule 327.8.1.A.2.c.
48	Mixed package of unwrapped pieces - no separate ingredient listing for each piece - contains sweetener - "flour" listed in the ingredient label	N	Contains flour	Rule 327.8.1.A.3.

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49	Nestle Crunch®	N	Contains flour	Rule 327.8.1.A.3.
50	Pixie sticks®	N	Not in form of bars, drops, or pieces	Rule 327.8.1.A.2.
51	Popped caramel and kettle corn	Y	Candy coated popcorn is candy.	Rule 327.8.1.A.2.c.
52	Powdered Tang®	N	Not commonly thought of as candy	Rule 327.8.1.A.
53	Spray candy	N	Not in form of bars, drops, or pieces	Rule 327.8.1.A.2.
54	Sugar cubes	N	Not commonly thought of as candy	Rule 327.8.1.A.1.
55	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
56	Trail mix w/candy	N	Not sold in form of bars, drops or pieces	Rule 327.8.1.A.2.c. and Rule 327.8.1.B.2.
57	Twix bars ®	N	Contains flour	Rule 327.8.1.A.3.
58	Unpopped popcorn, regular, caramel, kettle, etc.	N	Not commonly thought of as candy	Rule 327.8.1.A.