Executive Order on fruit jams, jellies and marmalades and sweetened chestnut purée etc. 1

Pursuant to Section 13, Section 16 subsection 2, Section 22, Section 24, subsections 1 and 2, Section 26, Section 61, subsections 1 and 2, and Section 78, subsection 3, of Act No. 471 of 1 July 1998 on food products, etc. (the Foodstuffs Act) the following shall be laid down:

Scope

Section 1. This Executive Order shall apply:
1) fruit jams, jellies and marmalades, sweetened chestnut purée and preserves etc. as defined in Annex 1, and
2) Other products that comply with the requirements with regard to consistency as stated in Annex 1 and which are also made from fruits and/or vegetables, as defined in Annex 2, part A, No. 1 and No. 5.

Subsection 2. The Executive Order shall not apply to products intended for the manufacture of fine bakery wares, pastries or biscuits.

Subsection 3. The requirements laid down in the definitions for the product names for preserves and vegetable preserves in Annex 1, Nos. 8 and 9, and for the products specified in Section 7, subsections 1 and 2, shall not apply to products which have been lawfully manufactured or marketed in other Member States of the European Union or countries within the EEA.

Composition and manufacture

Section 2. In the manufacture of the products listed in Section 1, subsection 1, No. 1, only those ingredients listed in Annex 3 and the raw materials listed in Annex 2, part A, may be used.

Subsection 2. In manufacturing the products listed in Section 1, subsection 1, No. 1, the raw materials listed in Annex 2, part A, Nos. 1-4 may only be processed in accordance with the regulations in Annex 2, part B.

Section 3. If raw materials derived from two or more fruits are used, then the minimum contents laid down in part I for different kinds of fruit must be reduced in proportion to the percentages used.

Section 4. Products defined in Section 1 subsection 1, No. 1 must have a soluble dry matter content of 60 % or more as determined by refractometer.

Subsection 2. The soluble dry matter content in the products listed below shall however only be
1) at least 25% in jam, extra jam, marmelade, jelly marmalade, preserves and vegetable preserves.
2) at least 45% in jelly and extra jelly.

Subsection 3. The provisions in subsection 1 shall not apply to those products in respect of which sugars have been wholly or partially replaced by sweeteners.

Product names and supplementary labelling provisions

Section 5. The product names listed in Annex I shall apply only to the products referred to therein and shall be used in trade to designate them. The product names used in Annex I may, however, be used in addition to the name and in accordance with practices used to designate other products which cannot be confused with those defined in Annex 1.

Subsection 2. The product names shall be supplemented by an indication of the fruit or fruits used, in descending order of weight of the raw materials used. However, for products manufactured from three or more fruits, the indication of the fruits used may be replaced by the words “mixed fruit” or a similar wording, or by the number of fruits used. The word “orange” may be used for oranges.

Section 6. The labelling of the products listed in Annex I, Nos. 1-8 shall indicate the fruit content by including the words “prepared with ... g of fruit per 100 g” of the finished product, after deduction of the weight of water used in preparing the aqueous extracts, if appropriate.

Subsection 2. The labelling of the product referred to in Annex I, No. 9, shall indicate the vegetable content by including the words “prepared with ... g of vegetables per 100 g” of the finished product, after deduction of the weight of water used in preparing the aqueous extracts, if appropriate.

Subsection 3. The labelling of the products listed in Annex I shall indicate the total sugar content by the words “total sugar content ... g per 100 g”, the figure indicated representing the value determined by refractometer at 20 °C for the finished product, subject to a tolerance of ± 3 refractometric degrees. The sugar content need not, however, be indicated where a nutrition claim is made for sugars on the labelling pursuant to the Executive Order on nutritional declaration etc. for pre-packed foods (bekendtgørelse om næringsdeklaration m.v. af færdigpakkede levererede produkter).
**Subsection 4.** The particulars referred to in subsections 1, 2 and 3 shall appear in the same visual field as the product name and in clearly visible characters.

**Subsection 5.** Where the residual content of sulphur dioxide is more than 10 mg/kg, its presence shall be indicated on the list of ingredients by way of derogation from Executive Order on labelling etc. of foodstuffs (*bekendtgørelse om mærkning m.v. af fødevarer*).

**Section 7** The product name "jelly" as specified in Annex 1, No. 3, may be used for products made from wine, curled mint or rose petal extract alone or mixed with fruit juice, and also for other products that cannot be confused with the products listed in Annex 1 and which are usually described as a "jelly".

**Subsection 2.** The product name "fruit flavoured spread", where the word "fruit" can be substituted by the name of a fruit or a vegetable, shall be used for the products listed in Section 1, subsection 1, No. 2. The content of fruit and vegetables in the products listed in Section 1, subsection 1, No. 2, shall be calculated as for products defined in Annex 1, cf. Section 6, subsections 1 and 2.

**Subsection 3.** The products listed in Annex 1 that do not contain sugar shall be labelled with the statement "no added sugar". This labelling statement shall be rendered in clearly visible lettering in the same field of view as the product name.

*Penalty and commencement provisions*

**Section 8.** Breach of Section 2, Section 4 subsections 1 and 2 or sections 5-7 shall be penalised with a fine.

**Subsection 2.** This penalty may increase to a term of imprisonment of up to two years if the breach is deliberate or the consequence of gross negligence, and the breach has
1) caused damage to health or resulted in a risk thereof, or
2) achieved or was intended to achieve financial gain for the person in question or for others, including through financial savings.

**Subsection 3.** Criminal liability may be imposed on companies etc. (legal persons) under the rules of Chapter 5 of the Danish Criminal Code.

**Section 9.** The Executive Order shall enter into force on 20 October 2003.

**Subsection 2.** Executive Order No. 621 of 1 July 2003 on fruit jams, jellies and marmalades and sweetened chestnut purée etc shall be repealed with effect from 20 October 2003.

**Subsection 3.** Products manufactured prior to 11 July 2003 in accordance with Executive Order No. 18 of 16 January 1990 on fruit jams and jellies etc. may be marketed up to, and including, 11 July 2004. If these products are labelled prior to 12 July 2004 in accordance with Executive Order No. 18 of 16 January 1990 on fruit jams and jellies etc., marketing may be continued until stocks have been used up.

*Danish Veterinary and Food Administration, 10 October 2003.*

On behalf of the latter

E.B.
Henrik G. Jensen

/Thomas Ilum Damsgaard
Annex 1,

Product names for products

1. Jam

"Jam" is a mixture, brought to a suitable gelled consistency, of sugars, the pulp and/or purée of one or more kinds of fruit and water. However, citrus jam may be obtained from the whole fruit, cut into strips and/or sliced. The minimum amount of pulp and/or purée used to make 1,000 g of finished product shall be as follows:

- 350 g as a general rule
- 250 g for redcurrants, rowanberries, sea-buckthorns, blackcurrants, rosehips and quinces,
- 150 g for ginger
- 160 g for cashew apples
- 60 g for passion fruit

2. Extra jam

'Extra jam' is a mixture, brought to a suitable gelled consistency, of sugars, the unconcentrated pulp of one or more kinds of fruit and water. However, rosehip extra jam and seedless raspberry, blackberry, blackcurrant, blueberry and redcurrant extra jam may be obtained entirely or in part from unconcentrated purée of the respective fruits. Citrus extra jam may be obtained from the whole fruit, cut into strips and/or sliced.

The following fruits may not be used mixed with others in the manufacture of extra jam: apples, pears, clingstone plums, melons, water-melons, grapes, pumpkins, cucumbers and tomatoes.

The quantity of pulp used for the manufacture of 1 000 g of finished product must not be less than:

- 450 g as a general rule,
- 350 g redcurrants, rowanberries, sea-buckthorns, blackcurrants, rosehips and quinces,
- 250 g for ginger
- 230 g for cashew apples
- 80 g for passion fruit

3. Jelly

'Jelly' is an appropriately gelled mixture of sugars and the juice and/or aqueous extracts of one or more kinds of fruit.

The quantity of juice and/or aqueous extracts used in the manufacture of 1 000 g of finished product must not be less than that laid down for the manufacture of jam. These quantities are calculated after deduction of the weight of water used in preparing the aqueous extracts.

4. Extra jelly

In the case of 'extra jelly', however, the quantity of fruit juice and/or aqueous extracts used in the manufacture of 1 000 g of finished product must not be less than that laid down for the manufacture of extra jam. These quantities are calculated after deduction of the weight of water used in preparing the aqueous extracts. The following fruits may not be used mixed with others in the manufacture of extra jelly: apples, pears, clingstone plums, melons, water-melons, grapes, pumpkins, cucumbers and tomatoes.
5. Marmalade
'Marmalade' is a mixture, brought to a suitable gelled consistency, of water, sugars and one or more of the following products obtained from citrus fruit: pulp, purée, juice, aqueous extracts and peel. The quantity of citrus fruit used in the manufacture of 1 000 g of finished product must not be less than 200 g of which at least 75 g must be obtained from the endocarp.

6. Jelly marmalade
The name ‘jelly marmalade’ may be used where the product contains no insoluble matter except possibly for small quantities of finely sliced peel.

7. Sweetened chestnut purée
'Sweetened chestnut purée' is a mixture, brought to a suitable consistency, of water, sugar and at least 380 g of chestnut (Castanea sativa) purée for 1 000 g of finished product.

8. Preserves
Preserves are a mixture, brought to a suitable thick consistency, of sugar and pulp containing whole fruit, pieces of fruit and/or fruit components: either of a single type of fruit, or of two or more types of fruit, except for apples, pears, clingstone plums, melons, water-melons, grapes, pumpkins, cucumbers and tomatoes. The quantity of pulp used for the manufacture of 1 000 g of finished product must not be less than:
- 450 g as a general rule,
- 350 g for blackcurrants, rosehips and quinces,
- 250 g for ginger,
- 230 g for cashew apples,
- 200 g for citrus fruits, of which at least 75 g shall be obtained from the endocarp,
- 80 g for passion fruit.

9. Vegetable preserves
Vegetable preserves are a mixture of sugar and one or more vegetables and pulp, brought to a suitable thick consistency. The quantity of pulp used for the manufacture of 1 000 g of finished product must not be less than 450 g.
Annex 2

A. Definition of raw materials

For the purpose of this Executive Order the following definitions shall apply:

1. **Fruit:**
   - fresh, sound fruit, free from deterioration, containing all its essential constituents and sufficiently ripe for use, after cleaning, removal of blemishes, topping and tailing,
   - tomatoes, the edible parts of rhubarb stalks, carrots, sweet potatoes, cucumbers, pumpkins, melons and water-melons are considered to be fruit,
   - ‘ginger’ means the edible root of the ginger plant in a fresh or preserved state. Ginger may be dried or preserved in syrup.

2. **(Fruit) pulp:**
   The edible part of the whole fruit, if appropriate, less the peel, skin, seeds, pips and the like, which may have been sliced or crushed but which has not been reduced to a purée.

3. **(Fruit) purée:**
   The edible part of the whole fruit, if necessary, less the peel, skin, seeds, pips and the like, which has been reduced to a purée by sieving or a similar process.

4. **Aqueous extracts (of fruit):**
   The aqueous extract of fruits which, subject to the losses necessarily occurring in proper manufacturing, contains all the water-soluble constituents of the fruit used.

5. **Vegetables:**
   Healthy, rinsed vegetables that have been trimmed, peeled, if necessary, and from which all inedible parts have been removed, though without removing those components that are essential for production of the product as defined in Annex 1, No. 9. Vegetables may be fresh, boiled, blanched or preserved by chilling and also be whole, cut up or puréed.

6. **Sugars:**
   Authorised sugars are:
   - the sugars as defined in Council Directive 2001/111/EC relating to certain sugars for human consumption,
   - fructose syrup,
   - sugars extracted from fruit,
   - brown sugar and raw cane sugar.

B. Treatment of raw materials
1. The products defined in part A, Nos. 1-4 may be treated in the following ways:
   - heated, chilled or frozen
   - Freeze-dried
   - concentrated, to the extent that is technically possible
   - the use of sulphur dioxide (E 220) or its salts (E 221, E 222, E 223, E 224, E 226 and E 227) as an aid to manufacture provided that the maximum sulphur-dioxide content laid down in European Parliament and Council Directive No 95/2/EC of 20 February 1995 on food additives other than colours and sweeteners is not exceeded in the products defined in part I of Annex I. Exempt from this treatment are raw materials used to make 'extra jam' and 'extra jelly', as listed in Annex 1, Nos. 2 and 4.

2. Apricots and plums to be used in the manufacture of jam may also be treated by other drying processes apart from freeze-drying.

3. Citrus peel may be preserved in brine.

Annex 3

The following ingredients may be added to the products listed in Annex 1:

<table>
<thead>
<tr>
<th>Ingredient</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Fruit juice</td>
<td>only in jam.</td>
</tr>
<tr>
<td>- The juice of citrus fruits in products made from other fruits</td>
<td>only in jam, extra jam, jelly and extra jelly.</td>
</tr>
<tr>
<td>- The juice of red fruits</td>
<td>only in jam and extra jam based on rosehips, strawberries, raspberries, gooseberries, redcurrants, plums and rhubarbs.</td>
</tr>
<tr>
<td>- Beetroot juice</td>
<td>only in jam and jelly based on strawberries, raspberries, gooseberries, redcurrants and plums.</td>
</tr>
<tr>
<td>- Essential oils of citrus fruits</td>
<td>only in marmalade and jelly marmalade.</td>
</tr>
<tr>
<td>- Edible oils and fats as anti-foaming agents</td>
<td>in all products.</td>
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<tr>
<td>- Liquid pectin</td>
<td>in all products.</td>
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<tr>
<td>- Citrus fruit peel</td>
<td>only in jam, extra jam, jelly and extra jelly.</td>
</tr>
<tr>
<td>- Leaves of <em>Pelargonium odoratissimum</em></td>
<td>in jam, extra jam, jelly and extra jelly based on quinces.</td>
</tr>
<tr>
<td>- Spirits, wines and fortified wines, nuts, herbs, vanilla and vanilla extract</td>
<td>in all products.</td>
</tr>
<tr>
<td>- Vanillin</td>
<td>in all products.</td>
</tr>
</tbody>
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Official notes