

CLASSIFICATION OF PRODUCTS AS CANDY OR FOOD OR FOOD INGREDIENTS		
	3/30/2011	
Item	Candy (Yes or No)	Explanation
Almond bark	Y	
Barbecue potato chips	N	Not commonly thought of as candy
Barbeque sunflower seeds	N	Not commonly thought of as candy
Beer Nuts Party Mix®	Y	Contains sweetener and nuts
Breakfast Cereals	N	Not sold in the form of bars, drops or pieces
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
Breath sprays and strips	N	Does not meet the definition of "food and food ingredient" (not commonly ingested or chewed for taste or nutrition)
Butterscotch chips	Y	
Candy w/liquor	Y	Does not meet the definition of "alcoholic beverage" (not a beverage)
Canned fruit and vegetables	N	Not commonly thought of as candy
Caramel apples	Y	
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®
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®
Chocolate chips	Y	
Chocolate covered potato chips	Y	
Cotton Candy	N	Not sold in form of bars, drops, or pieces (Cotton candy prepared by the seller is prepared food.)
Cough drops	N	Defined as a "drug" or "over-the counter drug"; does not meet the definition of "food and food ingredient"
Cracker Jacks®	Y	Candy coated peanuts and popcorn are both candy.
Dried fruit w/out sweetener	N	No sweetener
Dried fruit w/sweetener	Y	
Edible cake decorations	Y	Examples include letters, candle holders, and designs that are candy
Flaked coconut w/out sweetener	N	Sold in form of pieces - No sweetener
Flaked coconut w/sweetener	Y	Sold in form of pieces - sweetener
Fritos Honey BBQ Flavor Twists	N	Not commonly thought of as candy

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Frosting in containers	N	Not in form of bars, drops, or pieces
Fruit roll-ups	Y	
Gluten-free candy products	Y	
Gluten-free non-candy products	N	Not commonly thought of as candy
Gum	Y	
Heath bar ® bits	Y	
Honey roasted nuts	Y	Contains sweetener and nuts
Icing in tubes	N	Not in form of bars, drops, or pieces
Jell-O® pudding	N	Not in form of bars, drops, or pieces
Kit Kat ® bars	N	Contains flour
Licorice w/flour	N	Contains flour
Licorice w/out flour	Y	
Lightly Salted Rice Cakes	N	No sweetener
Marshmallows	Y	
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.
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
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
Mixed package of unwrapped pieces - no separate ingredient listing for each piece - contains sweetener - "flour" not listed in the ingredient label	Y	
Mixed package of unwrapped pieces - no separate ingredient listing for each piece - contains sweetener - "flour" listed in the ingredient label	N	Contains flour
Nestle Crunch®	N	Contains flour
Pixie sticks®	N	Not in form of bars, drops, or pieces
Popped caramel and kettle corn	Y	Candy coated popcorn is candy.
Powdered Tang®	N	Not commonly thought of as candy
Spray candy	N	Not in form of bars, drops, or pieces
Sugar cubes	N	Not commonly thought of as candy

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Throat lozenges	N	Does not meet the definition of "food and food ingredient" (not commonly ingested or chewed for taste or nutrition)
Trail mix w/candy	N	Not sold in form of bars, drops or pieces
Twix bars [®]	N	Contains flour
Unpopped popcorn, regular, caramel, kettle, etc.	N	Not commonly thought of as candy