

International Technical Caramel Association Industry Position Statement

U.S. Labeling of Caramel Color versus EU Burnt Sugar

Unlike the European Union (EU),¹ the U.S. Food and Drug Administration (FDA) does not recognize the two terms, “burnt sugar” and “caramelized sugar,” in the codified regulations and, therefore, these terms are not considered substitutes for “caramel” or “caramel color” for U.S. labeling purposes. Other terms commonly used by industry as synonyms for “caramel” are Color Index Natural Brown 10 (C.I. Natural Brown 10), C.I. Brown 10, or Natural Brown 10, but these terms should not replace “caramel” or “caramel color” in labeling.

In the U.S., caramel (Chemical Abstracts Service Registry Number 8028-89-5) for use in foods is regulated under two separate sections of Title 21 of the Code of Federal Regulations (C.F.R), based on its use. For its use in coloring food, the regulation is 21 C.F.R. § 73.85. For its use in food other than to impart color, the regulation is 21 C.F.R. § 182.1235, which states that caramel is a substance “generally recognized as safe when used in accordance with good manufacturing practice.” According to FDA, the appropriate ingredient statement for carbohydrates that have been heated to caramelize the sugars is “caramel.” If the sugar is meant to provide coloring, however, it must be listed as “caramel *color*” on the product label according to 21 C.F.R. § 101.22(k).

¹ The EU defines the term “caramel color” as more or less a brown color that is intended primarily for the coloring of foodstuffs, but in the EU “caramel color” is not synonymous with the terms “caramelized sugar” or “burnt sugar,” which are intended primarily for flavoring. The EU allows the terms “caramelized sugar” or “burnt sugar” to describe carbohydrates that have been heated without technical adjuvants, except small quantities of organic acid to promote hydrolysis and/or potentially bases to neutralize the caramelized/burnt sugar after caramelization.