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COMMISSION REGULATION (EC) No 2561/1999
of 3 December 1999
laying down the marketing standard for peas

(OJ L 310, 4.12.1999, p. 7)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 532/2001 of 16 March 2001	L 79	21	17.3.2001
►**M2**	Commission Regulation (EC) No 46/2003 of 10 January 2003	L 7	61	11.1.2003
►**M3**	Commission Regulation (EC) No 907/2004 of 29 April 2004	L 163	50	30.4.2004

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COMMISSION REGULATION (EC) No 2561/1999

of 3 December 1999

laying down the marketing standard for peas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ([1]), as last amended by Regulation (EC) No 1257/1999 ([2]), and in particular Article 2(2) thereof,

Whereas:

(1) Peas are listed in Annex I to Regulation (EC) No 2200/96 as products for which standards are to be adopted. Regulation No 58 of the Commission ([3]) laying down common quality standards for certain products listed in Annex IB to Regulation No 23, as last amended by Regulation (EC) No 888/97 ([4]), has been the subject of multiple amendments and no longer ensures legal clarity.

(2) The rules in question should therefore be recast and Annex I.3 to Regulation No 58 deleted. To that end, for reasons of trnsparency on the world market, account should be taken of the standard recommended for peas by the Working Party on standardisation of perishable produce and quality development of the United Nations Economic Commission for Europe (UN/ECE).

(3) The effect of these standards must be to remove products of unsatisfactory quality from the market, gear production to satisfying consumer requirements and facilitate trade relations on the basis of fair competition, thereby helping to make production more profitable.

(4) The standards are applicable at all stages of marketing. Transport over a great distance, storage for a certain length of time or the various handling opeations to which the products are subjected may bring about deterioration due to the biological development of the products or their tendency to perish. Account should be taken of such deterioration when applying the standards at the marketing stages which follow dispatch.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for fresh fruit and vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The marketing standards for peas falling within CN code 0708 10 shall be as set out in the Annex.

The standard shall apply at all stages of marketing under the conditions laid down in Regulation (EC) No 2200/96.

However, at stages following dispatch, the products may show, in relation to the provisions of the standards, a slight lack of freshness and turgitidy, and slight deteriorations due to their development and their tendency to perish.

([1]) OJ L 297, 21.11.1996, p. 1.
([2]) OJ L 160, 26.6.1999, p. 80.
([3]) OJ 56, 7.7.1962, p. 1606/62.
([4]) OJ L 126, 17.5.1997, p. 11.

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Article 2

Annex I.3 to Regulation No 58 is hereby deleted.

Article 3

This Regulation shall enter into on the seventh day following its publication in the *Official Journal of the European Communities*.

It shall apply from the first day of the first month following the month of its entry into force.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

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ANNEX

STANDARD FOR PEAS

I. DEFINITION OF PRODUCE

This standard applies to peas of varieties (cultivars) grown from *Pisum sativum* L. to be supplied fresh to the consumer, peas for industrial processing being excluded.

According to the type of consumption, peas are classified in two groups:

— shelling peas (round peas, wrinkled peas) intended for consumption without the pod,

— mangetout peas and sugar snap peas intended for consumption with the pod.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for peas after preparation and packaging.

A. **Minimum requirements**

In all classes, subject to the special provisions for each class and the tolerances allowed:

(i) the pods must be:

— intact; however mangetout and sugar snap peas that have had their ends removed are allowed,

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— clean, practically free of any visible foreign matter (including parts of the flowers),

— free from hard filaments or films in mangetout peas and sugar snap peas,

— practically free from pests,

— practically free from damage caused by pests,

— free of abnormal external moisture,

— free of any foreign smell and/or taste,

(ii) the seeds must be:

— fresh,

— sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,

— practically free from pests,

— practically free from damage caused by pests,

— free of any foreign smell and/or taste,

— normally developed in shelling peas.

The development and condition of peas must be such as to enable them:

— to withstand transport and handling, and

— to arrive in satisfactory condition at the place of destination.

B. **Classification**

Peas are classified in two classes defined below:

(i) *Class I*

Peas in this class must be of good quality. They must be characteristic of the variety and/or the commercial type.

The pods must be:

— fresh and turgid,

— free from damage caused by hail,

— free from damage caused by heating.

For shelling peas:

— the pods must be:

— with peduncles attached,

— well filled, containing at least five seeds;

▼**M1**

— the seeds must be:

— well formed,

— tender,

— succulent and sufficiently firm, i.e., when squeezed between two fingers they should become flat without disintegrating,

— at least half the full-grown size but not full grown,

— non-farinaceous,

— undamaged, without cracks in the skin of the seeds;

— the following slight defects of the pod, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— slight skin defects, injuries and bruises,

— slight defects in shape.

— slight defects in colouring.

For mangetout peas and sugar snap peas:

— the seeds if present must be small and underdeveloped,

— the following very slight defects of the pod, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

— very slight skin defects, injuries and bruises,

— very slight defects in shape,

— very slight defects in colouring.

(ii) *Class II*

This class includes peas which do not qualify for inclusion in class I but satisfy the minimum requirements specified above.

For shelling peas:

— the pods must contain at least three seeds,

— they may be riper than those in class I, but over-mature peas are excluded,

— the following defects may be allowed provided the peas retain their essential characteristics as regards the quality, the keeping quality and presentation:

— defects of the pods:

— skin defects, injuries and bruises provided they are not progressive and there is no risk of the seeds being affected,

— defects in shape,

— defects in colouring,

— some loss of freshness, excluding wilted pods;

— defects of the seeds:

— a slight defect in shape,

— a slight defect in colouring,

— be slightly harder,

— be slightly damaged.

For mangetout peas and sugar snap peas:

— the seeds if present can be slightly more developed than in class I,

— the following defects of the pods may be allowed provided the peas retain their essential characteristics as regards the quality, the keeping quality and presentation:

— slight skin defects, injuries and bruises,

— slight defects in shape, including those due to the seed formation,

— slight defects in colouring,

— some loss of freshness, excluding wilted and uncoloured pods.

▼M1

III. PROVISIONS CONCERNING SIZING

Sizing is not compulsory for peas.

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality shall be allowed in each package for produce not satisfying the requirements of the class indicated.

(i) *Class I*

10 % by weight of peas not satisfying the requirements of the class, but meeting those of class II or, exceptionally, coming within the tolerances of that class.

(ii) *Class II*

10 % by weight of peas satisfying neither the requirements of the class nor the minimum requirements, with the exception of produce affected by rotting, progressive diseases or any other deterioration rendering it unfit for consumption.

V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package must be uniform and contain only peas of the same origin, variety or commercial type, and quality.

The visible part of the contents of the package must be representative of the entire contents.

▼M2

Notwithstanding the preceding provisions in this point, products covered by this Regulation may be mixed, in sales packages of a net weight of less than three kilograms, with different types of fresh fruit and vegetables on the conditions laid down by Commission Regulation (EC) No 48/2003 ([1]).

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B. **Packaging**

Peas must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly of paper or stamps bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Packages must be free of all foreign matter.

▼M3

Stickers individually affixed on product shall be such as, when removed, neither to leave visible traces of glue, nor to lead to skin defects.

▼M1

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

▼M3

(A) **Identification**

The name and the address of the packer and/or the dispatcher

This mention may be replaced:

— for all packages with the exception of pre-packages, by the officially issued or accepted code mark representing the packer and/or the dispatcher, indicated in close connection with the reference ‘Packer and/or Dispatcher’ (or equivalent abbreviations);

— for pre-packages only, by the name and the address of a seller established within the Community indicated in close connection with the mention ‘Packed for:’ or an equivalent mention. In this case, the labelling shall also include a code representing the packer and/or the dispatcher. The seller shall give all information deemed necessary by the inspection body as to the meaning of this code.

([1]) OJ L 7, 11.1.2003, p. 65.

▼M1

(B) **Nature of produce**

— ‘shelling peas’, ‘mangetout peas’, ‘sugar snap peas’, or equivalent denominations if the contents are not visible from the outside,

— ‘trimmed’, ‘topped and tailed’ or other indications, for mangetout or sugar snap peas that have their peduncle and/or blossom end removed, where appropriate.

(C) **Origin of produce**

— Country of origin and, optionally, district where grown, or national, regional or local place name.

(D) **Commercial specifications**

— Class.

(E) **Official control mark (optional)**

▼M3

Packages need not to bear the particulars mentioned in the first subparagraph, when they contain sales packages, clearly visible from the outside, and all bearing these particulars. These packages shall be free from any indications such as could mislead. When these packages are palletised, the particulars shall be given on a notice placed in an obvious position on at least two sides of the pallet.