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COMMISSION REGULATION (EEC) No 2213/83

of 28 July 1983

laying down quality standards for ► M7 ————— ◀ witloof chicory

(OJ L 213, 4.8.1983, p. 13)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Regulation (EEC) No 1654/87 of 12 June 1987	L 153	35	13.6.1987
► <u>M2</u>	Commission Regulation (EEC) No 1872/91 of 28 June 1991	L 168	60	29.6.1991
► <u>M3</u>	Commission Regulation (EEC) No 3439/91 of 26 November 1991	L 326	21	28.11.1991
► <u>M4</u>	Commission Regulation (EEC) No 658/92 of 16 March 1992	L 70	15	17.3.1992
► <u>M5</u>	Commission Regulation (EC) No 888/97 of 16 May 1997	L 126	11	17.5.1997
► <u>M6</u>	Commission Regulation (EC) No 2390/97 of 1 December 1997	L 330	12	2.12.1997
► <u>M7</u>	Commission Regulation (EC) No 1508/2001 of 24 July 2001	L 200	14	25.7.2001
► <u>M8</u>	Commission Regulation (EC) No 46/2003 of 10 January 2003	L 7	61	11.1.2003
► <u>M9</u>	amended by Commission Regulation (EC) No 6/2005 of 4 January 2005	L 2	3	5.1.2005
► <u>M10</u>	Commission Regulation (EC) No 907/2004 of 29 April 2004	L 163	50	30.4.2004

▼B**COMMISSION REGULATION (EEC) No 2213/83****of 28 July 1983****laying down quality standards for ►M7 ————— ◀ witloof
chicory**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1738/82 ⁽²⁾, and in particular Article 2 (3) thereof,Whereas the quality standards for onions are laid down in Annex II/6 of Regulation No 23 ⁽³⁾; whereas those standards were amended by Regulation No 87/64/EEC ⁽⁴⁾;Whereas the quality standards for witloof chicory are laid down in Annex I/2 to Regulation No 58 ⁽⁵⁾;

Whereas a change has occurred in the production and marketing of these products particularly as regards the requirements of consumer and wholesale markets; whereas the common quality standards for onions and witloof chicory should therefore be changed to take those new requirements into account;

Whereas such changes entail alteration of the definition of the supplementary quality class as laid down by Council Regulation (EEC) No 1194/69 ⁽⁶⁾; whereas account should be taken, in defining that class, of the economic importance to producers of the products concerned and of the need to meet consumer requirements;

Whereas the standards are applicable at all stages of marketing; whereas transportation over a long distance, storage for a certain length of time or the various handling operations may bring about deterioration due to the biological development of the products or their tendency to perish; whereas, therefore, account should be taken of such deterioration when applying the standards at the marketing stages following dispatch; whereas, since the products in the 'Extra' class have to be particularly carefully sorted and packaged, only lack of freshness or turgescence is to be taken into account only in their case;

Whereas in the interest of clarity and certainty as to legal requirements for ease of use the standards thus changed should be consolidated in a single text;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1▼M7

The marketing standard for witloof chicory, falling within CN code 0705 21 00, shall be as set out in the Annex to this Regulation.

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These standards shall apply at all marketing stages, under the conditions laid down in Regulation (EEC) No 1035/72.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 190, 1. 7. 1982, p. 7.⁽³⁾ OJ No 30, 20. 4. 1962, p. 965/62.⁽⁴⁾ OJ No 116, 21. 7. 1964, p. 1050/64.⁽⁵⁾ OJ No 56, 7. 7. 1962, p. 1607/62.⁽⁶⁾ OJ No L 157, 28. 6. 1969, p. 1.

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However, at the stages following dispatch the products may show, in relation to the standards prescribed,

- a slight lack of freshness and turgescence,
- for the products graded in the classes other than the 'Extra' class, slight alternation due to their development and their tendency to perish.

Article 2

1. The words 'to onions' in Article 2 of Regulation No 23 and the words 'witloof chicory' in the first Article of Regulation No 58 and the terms 'onions, witloof chicory' in the first Article of Regulation (EEC) No 1194/69 are hereby deleted.

2. Annex II/6 to Regulation No 23 and Annex I/2 to Regulation No 58 and Annexes II and III to Regulation (EEC) No 1194/69 are hereby repealed.

Article 3

This Regulation shall enter into force on 1 September 1983.

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

▼ M7

ANNEX

▼ B**QUALITY STANDARDS FOR WITLOOF CHICORY****I. DEFINITION OF PRODUCE**

This standard applies to chicory, i.e. chicory sprouts forced from the roots of varieties (cultivars) of ‘witloof chicory’ derived from *Cichorium intybus* L. var. *foliosum* HEGI (*Cichorium intybus* L. var. *foliosum* HEGI), intended for supply fresh to the consumer, witloof chicory for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

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

A. Minimum requirements

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

- intact,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- free from reddish discoloration, frost-nip or traces of bruising,
- free from damage caused by rodents or disease,
- free from damage caused by insects or other parasites,
- free from incipient flower spike more than three-quarters of their length,
- clean, in particular having no earth-soiled leaves and practically free of any visible foreign matter,
- pale, i.e. white to yellowish — white in colour,
- cut or broken off cleanly at the neck,
- fresh in appearance,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The development and condition of the chicory 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

The chicory is classified into four classes defined below:

(i) *‘Extra’ class:*

Chicory in this class must be of superior quality. It must, in particular:

- be well-formed,
- be firm,
- have close heads, i.e. heads with a sharp, well-closed tip,
- have outer leaves of at least three quarters of the length of the chicory,
- not be greenish or glassy-looking.

(ii) *Class I:*

Chicory in this class must be of good quality. It must, in particular:

- be reasonably firm,
- have outer leaves of at least half the length of the chicory,
- not be greenish or glassy-looking.

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It may be less regular in shape, and the tips, without the diameter of the opening exceeding the chicory's maximum diameter by more than one-fifth, may be less tight and close than for the 'Extra' class.

(iii) *Class II:*

This class includes chicory which does not qualify for inclusion in the higher classes, but satisfies the minimum requirements specified above.

It may, however, have the following defects:

- be of a slightly irregular shape,
- be slightly greenish at the tips of the leaves,
- be slightly open at the tip (the diameter of the opening may not exceed the chicory's maximum diameter by more than one-third.

▼M2

in addition this class may include chicory of irregular form provided it is presented separately in homogeneous packages and fulfils all the other requirements laid down for the class.

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III. PROVISIONS CONCERNING SIZING

Sizing is determined firstly by the diameter of the widest section at right angles to the longitudinal axis, and secondly by length. For each class, the sizes are fixed as follows:

(cm)

	Extra	I	II	► M5 ————— ◀
Minimum diameter				
— chicory under 14 cm in length	2,5	2,5	2,5	► M5 ————— ◀
— chicory 14 cm or over in length	3	3	2,5	► M5 ————— ◀
Maximum diameter	6	8	—	► M5 ————— ◀
Minimum length	9	9	9 ⁽¹⁾	► M5 ————— ◀
Maximum length	17	20	24	► M5 ————— ◀

(1) However, chicory ranging between 6 and 12 cm in length may be included in class II ► **M5** ————— ◀, subject to mention being made on the package of the minimum and maximum length of the chicory contained therein.

Within any one package:

- (i) the maximum permissible difference in length between the chicory sprouts is 5 cm for the 'Extra' class, 8 cm for class I and 10 cm for class II ► **M5** ————— ◀;
- (ii) the maximum permissible difference in diameter between the chicory sprouts is 2,5 cm for the 'Extra' class, 4 cm for class I and 5 cm for class II. ► **M5** ————— ◀

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size are allowed in each package for produce not satisfying the requirements for its class.

A. Quality tolerances

(i) *'Extra' class:*

5 % by number or weight of chicory sprouts not satisfying the requirements of this class but meeting the requirements of class I or, exceptionally, coming within the tolerances for that class.

(ii) *Class I:*

10 % by number or weight of chicory sprouts not satisfying the requirements of this class but meeting the requirements of class II, or exceptionally coming within the tolerances for that class.

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(iii) *Class II:*

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

▼M5**▼B****B. Size tolerances**

For all classes: 10 % by number or weight of chicory sprouts whose length and diameter are no more than 1 cm above or below the measurements for size-grades given in section III. No tolerances are allowed, however, in respect of the minimum diameter.

V. PROVISIONS CONCERNING PRESENTATION**A. Uniformity**

The contents of each package must be uniform and comprise only chicory of the same origin, variety quality and size.

▼M5**▼B**

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

▼M8

Notwithstanding the preceding provisions in this point, products covered by this Regulation may be mixed, in sales packages ►**M9** of a net weight of three kilograms or less ◀, with different types of fresh fruit and vegetables on the conditions laid down by Commission Regulation (EC) No 48/2003 ⁽¹⁾.

▼B**B. Presentation**

Chicory graded as 'Extra' and as classes I and II must be put up:

- either evenly in layers,
- or in small packages.

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Chicory in class II of irregular shape ►**M5** ————— ◀ must be put in packages weighing 7 kilogrammes or more.

▼B**C. Packaging**

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

If it is presented in wooden cases, it must be separated from all the sides of the case by protective material.

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 and particularly of paper or stamps bearing trade specifications is allowed, provided that the printing or labelling has been done with a non-toxic ink or glue.

Packages must be free from any foreign matter.

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

▼B**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.

⁽¹⁾ OJ L 7, 11.1.2003, p. 65.

▼ M10**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.

▼ B**B. Nature of produce**

Witloof or ‘witloof chicory’ if the contents are not visible from the outside.

C. Origin of produce

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

D. Commercial specifications**▼ M2**

- Class and, in the case of class II, the words ‘irregular shape’, where applicable, and optionally an equivalent national description.

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- maximum and minimum length for chicory in class II
 ▶ **M5** ————— ◀ ranging between 6 and 12 cm in length only.

E. Official control mark (*optional*)**▼ M10**

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.