

section, the label shall bear the general statement of substandard fill specified in §130.14(b) of this chapter, in the manner and form therein specified.

[45 FR 43398, June 27, 1980, as amended at 47 FR 11832, Mar. 19, 1982; 48 FR 15241, Apr. 8, 1983; 54 FR 24895, June 12, 1989; 58 FR 2882, Jan. 6, 1993; 63 FR 14035, Mar. 24, 1998]

EFFECTIVE DATE NOTE: In §155.170, those portions of paragraph (a)(2) pertaining to the deletion of magnesium, hydroxide, magnesium oxide, and magnesium carbonate were stayed until further notice at 46 FR 35086, July 1, 1981, effective June 30, 1981.

#### § 155.172 Canned dry peas.

(a) *Identity.* Canned dry peas conforms to the definition and standard of identity, and is subject to the requirements for label declaration of ingredients, prescribed for canned peas by §155.170(a), except that:

(1) The optional pea ingredient is the dry seeds of the pea plant of the species *Pisum sativum* L. but excluding the subspecies *macrocarpum*.

(2) The optional ingredients specified in §155.170(a)(2)(xii) shall not be used.

(3) The name of the food is "cooked dry peas" or "soaked dry peas". The optional terms specified by §155.170(a)(3), "early", "June", "sweet", "green", "wrinkled", or any combination thereof, shall not be used on the labels.

(b) *Quality.* (1) The standard of quality for canned dry peas is that specified for canned peas by §155.170(b) except that:

(i) The alcohol-insoluble solids maximums specified in §155.170(b)(1)(vi) do not apply.

(ii) The skins of not more than 25 percent by count of the peas in the container are ruptured to a width of 1.6 millimeters (0.06 inch) or more.

(2) If the quality of canned dry peas falls below the standard of quality prescribed by paragraph (b)(1) of this section, the label shall bear the statement of substandard quality in the manner and form specified in §155.170(b)(3) for canned peas, except that the words "Excessively mealy" shall not be used.

(c) *Fill of container.* (1) The standard of fill of container for canned dry peas is that prescribed for canned peas by §155.170(c).

(2) If canned dry peas fall below the standard of fill of container prescribed by paragraph (c)(1) of this section, the label shall bear the general statement of substandard fill specified in §130.14(b) of this chapter, in the manner and form therein specified.

[45 FR 43399, June 27, 1980, as amended at 48 FR 15241, Apr. 8, 1983; 58 FR 2883, Jan. 6, 1993]

#### § 155.190 Canned tomatoes.

(a) *Identity*—(1) *Description.* (i) Canned tomatoes is the food prepared from mature tomatoes conforming to the characteristics of the fruit *Lycopersicon esculentum* P. Mill, of red or reddish varieties. The tomatoes may or may not be peeled, but shall have had the stems and calices removed and shall have been cored, except where the internal core is insignificant to texture and appearance.

(ii) Canned tomatoes may contain one or more of the safe and suitable optional ingredients specified in paragraph (a)(2) of this section, be packed without any added liquid or in one of the optional packing media specified in paragraph (a)(3) of this section and be prepared in one of the styles specified in paragraph (a)(4) of this section. Such food is sealed in a container and before or after sealing is so processed by heat as to prevent spoilage.

(2) *Optional ingredients.* One or more of the following safe and suitable ingredients may be used:

(i) Calcium salts in a quantity reasonably necessary to firm the tomatoes, but the amount of calcium in the finished canned tomatoes is not more than 0.045 percent of the weight, except that when the tomatoes are prepared in one of the styles specified in paragraphs (a)(4) (ii) to (iv) of this section the amount of calcium is not more than 0.08 percent of the weight of the food.

(ii) Organic acids for the purpose of acidification.

(iii) Dry nutritive carbohydrate sweeteners whenever any organic acid provided for in paragraph (a)(2)(ii) of this section is used, in a quantity reasonably necessary to compensate for the tartness resulting from such added acid.

(iv) Salt.

(v) Spices, spice oils.