Commodity Specification

DICED CHICKEN

MAY 2008

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I. GENERAL

A. Product Description

Frozen cooked diced chicken meat (commodity) produced from ready-to-cook fowl (7 CFR part 70.201(f)) under this Specification will be packaged and packed in the following form as specified in the contract:

Diced Chicken (223240) – Frozen cooked diced chicken meat, produced from ready-to cook fowl (a class of mature female chickens). Diced chicken will be packed in eight 5-pound (2.27 kg) packages to a net weight of 40 pounds (18.14 kg) in each fiberboard shipping container. A purchase unit will consist of 1,000 shipping containers totaling 40,000 pounds (18,144 kg).

Diced Chicken (222140) – Frozen cooked diced chicken meat, produced from ready-to cook fowl (a class of mature female chickens). Diced chicken will be packed in four 10-pound (4.54 kg) packages to a net weight of 40 pounds (18.14 kg) in each fiberboard shipping container. A purchase unit will consist of 1,000 shipping containers totaling 40,000 pounds (18,144 kg).

B. Approved Quality Control Programs for Bone Removal

The contractor/producer will develop a written quality control program that documents the production procedures for bone removal and quality assurance protocol, the corrective and preventative actions, and product control procedures. Each year, the contractor/producer shall submit the written quality control program to Poultry Programs' Contracting Officer for review and approval. This program must list the areas the contractor/producer will monitor and the established defect criteria. If the product is rejected by USDA for not meeting the established defect criteria, or if complaints about bones in the product are received by the Contracting Officer, the contractor/producer shall submit to the Contracting Officer a documented plan for corrective actions. The sampling procedures and defect criteria for this quality control program must meet or exceed USDA requirements. The quality control program must be developed in accordance with the Poultry Graders Handbook and Poultry Programs' "Requirements for Documented Quality Control Programs - USDA Commodity Diced Chicken" dated July 29, 2003, Revision I.

C. Food Defense Requirements

Contractors and subcontractors participating in the commodity purchase program must have a documented and operational food defense plan that provides for the security of a plant's production processes and includes the storage and transportation of finished product after production. The plan shall address the following areas: (1) food defense plan management; (2) outside and inside security of the production and storage facilities; (3) slaughter and processing, including all raw material sources; (4) shipping and receiving; (5) storage; (6) water and ice supply; (7) mail handling; (8) personnel security; and (9) controlled access to production

and storage areas. The food defense plan shall be made available to the Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) Auditor immediately upon request. Verification of the Food Defense Program at the processing, storage, and distribution facility will be conducted by the USDA/AMS Auditor.

D. Commodity Complaints

The contractor/producer must immediately report all complaints received on the commodity to the Contracting Officer. The report must include a plan to assure that future non-conforming product is not delivered under USDA contracts. The plan must address: 1) control and segregation of all non-conforming product(s), 2) removal of any USDA markings, and 3) disposition of all non-conforming product(s)

E. Humane Handling

All poultry shall be humanely handled in accordance with all applicable Food Safety and Inspection Service (FSIS) regulations, directives, and notices.

II. COMMODITY SPECIFICATION

A. Basic Requirements

1. Date Processed. The cooked diced chicken meat (dices) must not be processed prior to the date of the contract and must be prepared from freshly slaughtered ready-to-cook fowl.

2. Origin of Fowl. The commodity must be produced and processed from fowl that were produced, raised, and processed in the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Trust Territories of the Pacific Islands. If the contractor processes or handles chicken carcasses and parts produced from fowl originating from sources other than the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Trust Territories of the Pacific Islands, the contractor must have an acceptable identification and segregation plan for those carcasses and parts to ensure they are not used in the commodity produced under this Specification. This plan must be made available to an AMS, Poultry Programs, Grading Branch, Grader, and the Contracting Officer or agent thereof upon request. The contractor must ensure that both the contractor and subcontractor(s) maintain records such as invoices, or production and inventory records evidencing product origin, and make such records available for review by the Grader or other Government official(s).

3. Inspection. Processing operations must comply with Poultry Products Inspection Regulations (9 CFR Part 381) and be under the supervision of a representative of the USDA (FSIS) (Inspector). Inspection for contract and specification compliance will be in accordance with the Regulations Governing the Voluntary Grading of Poultry Products and Rabbit Products (7 CFR Part 70) and the U.S. Classes, Standards, and Grades for Poultry (AMS 70.200 *et seq.*) under the supervision of a Grader. The Grader will be responsible for certification with the requirements of this Specification for fowl; preparation, processing, and freezing of the dices;

packaged frozen dices; packing; labeling and marking; sampling; laboratory results; net weight; and checkloading.

4. FSIS Requirements. The commodity must be produced and processed in an FSIS federally inspected establishment, be accurately marked and/or labeled, and meet all FSIS regulatory requirements, including all microbiological testing requirements, currently in place.

5. USDA Sampling Option. USDA may select additional commodity for further inspection or may draw samples for additional laboratory analyses.

6. Fowl from Other Plants. Chilled fowl may be transferred or obtained from other processing plants to produce the commodity, provided they: (1) have been processed, handled, and identified in accordance with this Specification, and (2) comply with the freshly slaughtered, organoleptic, and other applicable requirements of this Specification as evidenced by USDA certification.

a. Type, kind, and class of poultry, date slaughtered, and the USDA-assigned plant number must be shown on each shipping container.

b. The chilled fowl must be at an internal product temperature not higher than 40 °F (4.4 °C) and not lower than 26 °F (-3.3 °C) when shipped from the origin plant and when received at the destination plant.

B. Requirements of Fowl Meat for Dices

1. Unacceptable Meat. No frozen or previously frozen fowl may be used. Skin, wing meat from the third wing portions, neck meat, giblets, and kidneys from cooked fowl carcasses cannot be used to prepare the commodity.

2. Organoleptic Requirements. The chilled fowl will be examined on a continuous basis for the following organoleptic requirements: Chilled fowl must be free of rancidity; free of fruity, sulfide-like, cardboardy, tallowy, oily, oxidized, metallic, chlorine, and other off or foreign odors; free of foreign materials (e.g., glass, paper, rubber, plastic, metal); must show no evidence of mishandling or deterioration; and must have a bright color with no evidence of freezer burn or dehydration, thawing, or refreezing. Any fowl that does not comply with the organoleptic requirements will be rejected for use under this Specification.

3. Time Requirements. The chilled fowl carcasses must be cooked and the resultant white and dark meat diced, individually frozen, and packaged within 7 calendar days after the date of slaughter.

C. Preparation and Processing

1. Cooking and Cooling. The fowl carcasses and the white and dark meat must be cooked and cooled.

2. Preparation of Cooked Meat for Dicing. The dices must be prepared from pulled (deboned) cooked white and dark meat according to one of the following methods:

a. Cooked white and dark meat in natural proportion is removed from the cooked whole fowl carcass.

b. Formulated on a weight basis to contain a minimum of 50 percent cooked white meat and a maximum of 50 percent cooked dark meat. The method used by the contractor must have established control procedures, processing sequence, product flow, and methods for handling the pulled cooked white and dark meat to ensure that: (1) the natural proportion of cooked white and dark meat is maintained, (2) no white meat is removed for other uses, and (3) no dark meat is added from other sources. These procedures and methods must be reviewed and found acceptable by supervisory personnel of the Grading Branch, Poultry Programs, AMS, before they can be used to produce white and dark meat for this Specification.

3. Cooked Meat Defects - Examination for Bone. A 5-pound (2.27 kg) sample of pulled cooked white and dark meat will be drawn and examined for bone defects shown in II.C.3.a. prior to dicing. When cooked white and dark meat are formulated on a weight basis (minimum 50 percent white meat/maximum 50 percent dark meat), 2.50 pounds (1.13 kg) of pulled white meat and 2.50 pounds (1.13 kg) of pulled dark meat will be drawn and examined separately for the bone defects shown in II.C.3.a. The frequency of sampling and number of samples examined will be those outlined in Poultry Programs' Sample Plan Level 3 (SPL-3).

a. Any sample with bone or hard bone-like material will be counted as a defect under SPL-3.

b. If the number of bone defects exceed the maximum for the "target" level or result in a rejection, the frequency of sampling for bone defects will be increased to a sample drawn twice each sampling interval until the cumulative number of bone defects reverts back to the "target" level.

c. If the sample/meat has more defects than the maximum tolerance for the sample plan, the meat the sample represents will be rejected.

4. Dicing. The pulled cooked white and dark meat must be mechanically diced to comply with dice size requirements in II.C.11. Dices meeting the size requirements of this Specification are usually referred to as "0.50-inch (1.27 cm) dices" or "nominal 0.50-inch (1.27 cm) by 0.50-inch (1.27 cm) dices."

5. Individually Frozen. The dices of cooked white and dark meat must be individually frozen such that the individual dices do not stick together after they are packaged and packed in shipping containers. The individually frozen dices must be handled so the dices are not stuck together when shipped.

6. Packaging and Packing Materials. All packaging and packing materials must be clean and in new condition, must not impart objectionable odors or flavors to the commodity, must be safe (cannot adulterate product or be injurious to health) for use in contact with food products and must be tamper-evident. Tamper evident is defined as packaging and packing materials with one or more indicators or barriers to entry, which, if breached or missing, can reasonably be expected to provide visible evidence that tampering has occurred.

a. Plastic-film bags. Individually frozen diced chicken must be packaged in low-density polyethylene bags with a wall thickness of not less than 3 mil (0.003 inch). Plastic film bags must protect the commodity from dehydration, freezer burn, quality deterioration, or contamination during conditions of use.

b. Shipping containers. Shipping containers must: (1) be good commercial fiberboard containers that are acceptable by common or other carrier for safe transport to point of destination, (2) be of such size to pack the commodity without slack filling or bulging; (3) withstand the stresses of handling, shipping, stacking, and storage, and (4) be closed by commercially accepted methods and materials. Steel or wire straps must not be used for the final closure. Staples must not be used for the final closure of any style of shipping containers. Adhesive or staples cannot be used to fasten the top portion of telescope-style containers to the bottom portion. Staples may be used to manufacture and to assemble the fiberboard shipping containers, provided the staples are fastened into the container and tightly clenched to eliminate sharp edges prior to packing the commodity into the shipping containers.

7. Packaging and Packing.

a. Packaging. Approximately 5 or 10 pounds (2.27 or 4.54 kg) of frozen dices must be packaged in a sanitary, plastic-film bag. Plastic-film bags must be securely closed with a nonmetallic device and comply with the tamper-evident requirements of this Specification. Metal wire ties, metal clips, paper-coated wire ties, or staples must not be used for sealing plastic-film bags.

b. Packing. Four 10-pound or eight 5-pound bags of frozen diced chicken must be packed in each shipping container.

8. Metal Detection. The commodity must be examined by a metal detection device capable of detecting metallic contaminants including, but not limited to, stainless steel shavings, metal clips, metal fragments from cutting equipment, and pieces of wire. The commodity must be examined in the package: (a) prior to packing; or (b) after it is packed into shipping containers in accordance with the procedures in AMS 910, Poultry Grader's Handbook. Commodity found to be contaminated with metal will be handled in accordance with FSIS procedures. Other procedures for examination of the frozen dices must be approved by the Deputy Administrator of Poultry Programs, in writing.

9. Freezing. The packaged and packed individually frozen dices must be placed into a freezer and the internal product temperature lowered to 0 °F (-17.8 °C) or lower within 24 hours from the time the individually frozen dices were packaged.

10. Organoleptic and Defect Requirements for Dices.

a. Organoleptic requirements. The diced chicken will be sampled on a continuous basis for compliance with the organoleptic requirements shown in Table 1. Any diced chicken that does not comply with the organoleptic requirements will be rejected for use under this Specification.

b. Defect requirements. A 2-pound (0.91 kg) sample of diced chicken will be drawn and examined for bone (II.C.10.b.(1)) and other defects shown in Table 1, in a thawed state. The frequency of sampling and number of samples examined will be those outlined in Poultry Programs' Sample Plan Level 2 (SPL-2). The examination for bone will be made separately from the examination for the other defects under SPL-3.

(1) Regardless of the kind and number of defects (within Table 1) found, any sample with bone or hard bone-like material greater than 0.40 inch (1.02 cm) will be cause for rejection of the product the sample represents.

(2) If the number of bone defects exceed the maximum for the "target" level or results in a rejection, the frequency of sampling for bone defects will be increased to a 2-pound (0.91 kg) sample drawn twice each sampling interval until the cumulative number of bone defects reverts back to the "target" level.

(3) Product represented by a sample with more defects than the maximum tolerance for the sample plan will be rejected.

Table 1. Organoleptic Requirements and Defects for Dices

Organoleptic Requirements:	The dices must be free of foreign materials (e.g., glass, paper, rubber, plastic, metal) and odors which are not characteristic of properly cooked and handled fowl meat; for example, rancid, metallic, cardboardy, stale, sour, or scorched.
Defects For Dices:	
Bone:	The presence of bone or bone-like material less than or equal to 0.40 inch (1.02 cm). Bone or bone-like material greater than 0.40 inch (1.02 cm) See II.C.10.b.(1)
Other:	1. Cartilage (gristle), tendon or tendinous material, ligament or ligamentous material that is soft-like in texture and extends or is greater than 0.40 inch (1.02 cm). 2. Dark-colored (due to blood) artery or vein greater than 0.30 inch (0.76 cm) in length. 3. Bruises or blood clots which exceed an area equivalent to a circle with a diameter of 0.25 inch (0.64 cm). 4. An aggregate area of all discolorations with moderate intensity which exceeds an area equivalent to a circle with a diameter of 0.50 inch (1.27 cm). 5. An aggregate area of skin greater than 1 square inch (6.45 cm^2).

11. Dice Size Requirements. Packages of individually frozen dices will be sampled and examined for compliance with the dice size requirements on a sample basis. The frequency of sampling and number of samples examined will be in accordance with Poultry Programs' procedures. If any sample does not comply with the dice size requirements, the packages of frozen dices or the product the sample represents will be rejected.

a. Samples. The Grader will draw for the sieve test a 2-pound (0.91 kg) sample of frozen product from a 5 or 10 lb (2.27 or 4.54 kg) package selected at random during each sampling interval.

b. Sieve test. The Grader will use either an 8-inch (20.32 cm) or 12-inch (30.48 cm) diameter sieve to determine dice size requirements. For the 8-inch (20.32 cm) sieve, the Grader will split the 2-pound (0.91 kg) sample in half and test each separately. For the 12-inch (30.48 cm) sieve, the Grader will test the entire 2-pound (0.91 kg) sample. After the product is placed in the sieve, the Grader will lightly shake the sieve in a back-and-forth motion for approximately 30 seconds before recording the results.

c. Requirements. A sample must meet the following requirements:

(1) Not more than 5 percent of the weight of the sample can be retained on a U.S. standard 0.75 inch (1.90 cm) sieve.

(2) Not more than 5 percent of the weight of the sample can pass through an U.S. standard 0.25 inch (0.64 cm) sieve.

d. Rejected product. The contractor may request that the rejected packages of frozen dices be re-examined on the basis of a stationary lot. The number of shipping containers which will be examined are outlined in 7 CFR Part 70.80. One sample will be examined from each shipping container sampled. The individual results of each sample examined with each size of screen will be averaged. When the average for both sizes of screens complies with the dice size requirement, the stationary lot is acceptable for use under this Specification.

D. Lots and Sampling

1. Definition of a Lot.

a. A lot is the amount of packaged commodity produced between clean-ups and must not exceed 1 day's production.

b. The packaged frozen commodity will be: (1) sampled for laboratory analyses and analyzed for compliance with the microbiological requirements; and (2) accepted or rejected on a lot basis.

2. Sampling. The Grader will draw packages of individually frozen dices at random from each lot. The number of packaged commodity to be drawn from each lot (processing shift) will be as follows:

Number of Shipping Containers in Lot	Minimum Number of Packages
0 - 150	3
151 - 300	6
301 - 600	9
601 - 1,200	12
over 1,200	18

3. Samples for Laboratory Analyses.

a. The Grader, or an authorized plant employee under the supervision of the Grader, wearing single-use plastic gloves and mask, will aseptically draw three 0.50-pound (0.23 kg) samples from each package sampled using a sterile single-use spoon. All equipment and supplies used for sampling must be provided by the contractor. Each sample will be placed in a separate sterile moisture-proof sample bag. The three samples from each package sampled will be used as follows:

(1) One for microbiological analyses at a USDA or USDA-approved laboratory.

(2) One for the contractor.

(3) One for a reserve sample.

b. The frozen dices in the samples will be maintained in a frozen state.

c. The samples for the contractor will be given to the contractor after all the samples for the lot have been drawn and prepared.

d. The reserve samples will be identified as such and will be retained in a freezer under the control of the Grader. These samples will be used for laboratory analyses when the original samples are lost or arrive at the USDA or USDA-approved laboratory in an unacceptable condition, or when requested by the AMS, Poultry Programs, Grading Branch, Washington, D.C. If the reserve samples are not used, they will be returned to the contractor.

E. Laboratory Analyses

1. Microbiological Requirements. A lot of packaged frozen commodity must comply with the following microbiological requirements when sampled and analyzed according to II.D.2., II.D.3., and II.E.3. A lot of packaged commodity failing to meet these requirements will be rejected for use under this Specification.

a. Standard plate count will not exceed 50,000 colony forming units (CFU)/gram.

b. Coliform count will not exceed 100 CFU/gram.

c. *Escherichia coli (E. coli)* results will be less than 10 CFU/gram.

d. Coagulase-positive *Staphylococcus aureus (S. aureus)* results will be less than 10 CFU/gram.

e. *Salmonella* and *Listeria monocytogenes* results must be negative.

f. *Salmonella* and *Listeria monocytogenes*-positive frozen dices. If any sample from a lot is found *Salmonella* or *Listeria monocytogenes*-positive, it will not be accepted for use under this Specification. The Grader will notify the FSIS Inspector if dices are found positive.

2. Approved Laboratories. The samples for laboratory analyses may be submitted to any one of the USDA or USDA-approved laboratories listed below, except when AMS determines that conditions or workload of a specific laboratory do not permit the prompt handling of samples. All costs incurred for shipping the samples and the laboratory analyses will be paid by the contractor.

USDA, AMS, Science and Technology Programs
National Sciences Laboratory
801 Summit Crossing Place, Suite B
Gastonia, North Carolina 28054
Telephone (704) 867-3873

Laboratory Services Division
Minnesota State Department of Agriculture
90 West Plato Boulevard, Room 241
St. Paul, Minnesota 55107-2094
Telephone (651) 297-1901

Laboratory Services Division
Oregon Department of Agriculture
1207 Northwest Naito Parkway, Suite 204
Portland, Oregon 97209-2835
Telephone (503) 872-6644

DonLevy Laboratories
11165 Delaware Parkway
Crown Point, IN 56307
Telephone: (219) 226-0001

Silliker Laboratories
11585 K-Tel Drive
Minnetonka, MN 55343
Telephone: (706) 878-6458

Warren Analytical Laboratories
650 "O" Street
Greeley, CO 80631
Telephone: (970) 475-0253

Food Safety Net Services
221 W Rhapsody Street
San Antonio, TX 78216
(817) 228-9795

3. Laboratory Analyses.

a. The samples will be composited and analyzed by the USDA or USDA-contracted laboratory in accordance with any approved Association of Official Analytical Chemists (AOAC) International or Food and Drug Administration's Bacteriological Analytical methods Manual, or methods approved by other National or International organizations and accepted by AMS for *Listeria monocytogenes*, *Salmonella*, standard plate count, *E. coli*, and coagulase positive *S. aureus* determinations. Laboratory methods for *Salmonella* and *Listeria monocytogenes* should specify for all foods and be capable of detecting all *Salmonella* and *Listeria monocytogenes* both motile and non-motile.

b. For original analyses of samples from a lot, the USDA or USDA-approved laboratory will aseptically combine consecutively numbered samples from the lot into groups of three, remove an equal amount from each sample in the group, and combine them into a composite sample for analysis. Each composite sample will be ground and blended into a homogeneous mixture and then analyzed for standard plate count, coliform count, *E. coli*, coagulase-positive *S. aureus*, *Listeria monocytogenes*, and *Salmonella*. The highest result for each type of analysis will determine whether the lot complies with the applicable microbiological requirements. The results for each composite for a lot will be reported on the USDA Poultry Products Grading Certificate (USDA Certificate).

As an alternative to reporting the results on the USDA Certificate, the results may be reported on a laboratory testing report generated by the Laboratory Information Management System (LIMS). The laboratory testing report will contain the USDA Certificate number, and the report may be faxed or e-mailed to recipients.

c. For an appeal of original analyses, the USDA or USDA-approved laboratory will analyze and then report the results as outlined in II.E.5.d.

4. Timely Receipt of Laboratory Results. The contractor must present the packaged frozen dices to USDA so the commodity may be sampled, the samples sent to the USDA or

USDA-approved laboratory, and the laboratory analyses performed in time for the laboratory results to be available for the contractor to meet the shipment or delivery requirements of the contract. If laboratory results are received by the contractor later than 10 calendar days, excluding Sundays and Federal holidays, from the receipt of the samples by the USDA or USDA-approved laboratory, the number of days' delay in excess of 10 calendar days, excluding Sundays and Federal holidays, will be added to the permissible shipment or delivery period before liquidated damages for late shipment or delivery will be assessed. The commodity shall not be shipped until receipt of laboratory results to confirm compliance with microbiological requirements as outlined in II.E.1.

5. Appeal of Laboratory Analyses. No appeals will be permitted for *Salmonella* or *Listeria monocytogenes* positive frozen dices. The Grader may authorize an appeal of original laboratory analyses for a lot for standard plate count, coliform count, *E. coli*, or *S. aureus*. Before an appeal can be considered, the request for an appeal must be filed with the Grader within 48 hours (excluding weekends and Federal holidays) from the time the results of analyses being appealed are received by the contractor. Any number of laboratory results representing a lot may be appealed; i.e., standard plate count, coliform count, *E. coli, S. aureus*, but still count as only one appeal. Only one appeal per lot is permitted.

a. The Grader will log the number of appeals for each processor. The Grader may grant up to 10 appeals of the first 40 sets of original laboratory results representing a lot. Thereafter, no more than 3 appeals will be granted based on an evaluation of the previous 30 lot results reported, as described in Poultry Programs' Instructions.

b. For the appeal, the lot will be sampled and samples prepared by the Grader by one of the following procedures:

(1) When the reserve samples are available, the Grader will randomly draw from the lot the same number of samples as drawn during original sampling and identify the samples as appeal samples. These samples plus the reserve samples previously prepared during the original sampling of the lot will be submitted for microbiological analyses.

(2) When the reserve samples are not available, the Grader will randomly draw twice the number of samples as drawn during the original sampling and identify the samples as appeal samples.

c. The samples for the appeal will be submitted to the USDA or USDA-approved laboratory where the original analyses were performed.

d. The USDA or USDA-approved laboratory will analyze the samples and report the results of an appeal as follows:

(1) When both the reserve and appeal samples are submitted by the Grader for a lot, the laboratory will make composite samples as described in II.E.3.b. from the reserve and appeal samples separately, analyze each composite for the analysis being appealed, and report

the results of each composite for the reserve and appeal samples separately on the USDA Certificate. Alternately, the results may be reported on a laboratory-generated LIMS testing report, which will contain the USDA Certificate number that may be faxed or e-mailed to recipients. The highest result for each type of analysis will determine whether the lot complies with the applicable microbiological requirements.

(2) When only the appeal samples are submitted for a lot, the USDA or USDA-approved laboratory will combine the samples into twice the number of composites described in II.E.3.b. and analyze each of the composite samples for the analysis being appealed. The results of each composite will be reported on the USDA Certificate and identified as the results for appeal samples. Alternately, the results may be reported on a laboratory-generated LIMS testing report, which will contain the USDA Certificate number that may be faxed or e-mailed to recipients.

e. The laboratory results of the samples for the appeal will supersede those of the original analysis for which the appeal is being requested and will be final.

III. LABELING

A. Commercial Labeling Requirements

Commercial labels must be used. Commercially labeled packages and shipping containers must be labeled in accordance with FSIS requirements. Labeling must be approved by FSIS prior to acceptance for use under this Specification.

1. Commercial Labels. Commercial labels must be the processor's own commercial label. Distributors' labels are not allowed.

2. Traceable Product. The processor must establish a product identification and record system that clearly links product by place and time of manufacture to specific USDA contracts and destinations. When the company uses the same commercial label for the product certified as complying with this Specification and commercial product, the identification system must differentiate between USDA and non-USDA products. An alpha numeric code may be used for information that is in addition to FSIS labeling requirements. The required product identification and record system, including codes, must be reviewed by USDA before production begins for the contract(s).

B. Additional Labeling Issues

The following are not acceptable for use under this Specification:

1. Commercial labels that do not have a processor traceability system and code.

2. Commercial labeling traceability coding and systems that have not been reviewed by a representative of Grading Branch, USDA/AMS/ Poultry Programs.

3. Distributor commercial labels.

4. Two or more different commercial labels in the same purchase unit.

C. F.A.S. Vessel Deliveries

F.A.S. vessel deliveries that are not source loaded in a seavan are required to show the final destination's overseas address as provided in the Notice to Deliver. The address must be clearly printed on at least two sides of each pallet.

IV. FINAL EXAMINATION OF PACKAGED AND PACKED COMMODITY

A. Material and Net Weight Compliance

1. Verification of Materials and Defects.

a. Verification of packaging and packing materials. The contractor must verify compliance with packaging, packing, and marking material requirements by furnishing the Grader the following certification on company stationery signed by a person authorized to do so by the contractor:

"(I) (We) certify that the packaging, packing, and marking materials used for any commodity presented for acceptance under the terms of the Commodity Specification for Diced Chicken dated May 2008 comply or will comply with the terms of this Commodity Specification.

Name _____

Title _____"

One certification is adequate for all production under this Specification.

b. Packaging defects. Packages in a delivery unit will be examined for defects that affect protection, expose product, or permit dehydration or freezer burn, or quality deterioration during storage, such as tears, holes, or improperly sealed or closed packages.

c. Packing defects. Shipping containers in a delivery unit will be examined for condition, labeling, and marking defects according to the United States Standards for Condition of Food Containers.

d. Tolerance for defects. If samples of packaged commodity or the shipping containers in a delivery unit have more defects than the maximum tolerance for the applicable Poultry Programs' sample plan, the delivery unit will be rejected.

2. Net Weight.

a. A purchase unit or delivery unit will total 40,000 pounds (18,144 kg) net, or multiples thereof.

b. Each delivery unit, except as provided in IV.A.2.f. below, will be examined for compliance with the net weight requirements at time of checkloading.

c. The tare weight of all packaging materials will be determined by weighing a representative sample of all packaging components such as plastic-film bags, clips, and fiberboard containers.

d. Twelve (12) shipping containers will be randomly selected from a delivery unit to determine net weight. The total net weight of the 12 shipping containers must be equal to or greater than 480 pounds (217.72 kg).

(1) If the total net weight of the sample is less than 480 pounds (217.72 kg) but greater than or equal to 475.20 pounds (215.55 kg), the delivery unit will be accepted at the following discount:

(Average Test Net Weight Per Container)

	: But Not	: Contract
Less Than	: Less Than	: Price Discount
40.0 pounds (18.14 kg)	: 39.6 pounds (17.96 kg)	: 1.0%
39.6 pounds (17.96 kg)	: --	: Unacceptable

Payments will be made on the actual quantity delivered. All price adjustments will be based on a delivery unit.

(2) If the total net weight is less than 475.20 pounds (215.55 kg), the delivery unit will be rejected.

e. A rejected delivery unit may be reworked and reoffered one time only. However, if an individual shipping container in the sample of the reworked delivery unit has a net weight of less than 39.60 pounds (17.96 kg), the delivery unit will be rejected.

f. As an alternative to test weighing at time of checkloading, the contractor may request on-line verification of net weights. Upon receiving the request, a Federal-State supervisor, Grading Branch, Poultry Programs (or their designee), will determine that the facilities and procedures are in accordance with the applicable Poultry Programs' instructions for this Specification.

B. Prerequisites for Loading and Shipping Frozen Commodity

At the time of loading, shipping containers will be randomly drawn from each delivery unit and examined to determine the condition (including separation) and the internal product temperature of the individually frozen dices in the packages.

1. Condition of Dices.

a. A defect for condition of dices is a sample (package) in which dices are stuck together in clumps and cannot be easily and readily separated without removing from the bag.

b. Sample size will be two 5-pound (2.27 kg) packages or one 10-pound (4.54 kg) package drawn from 18 shipping containers randomly selected from the delivery unit. If four or more samples (of the 18 samples examined at the time of loading) are found to contain the defects described, the delivery unit will be rejected.

c. Frozen cooked commodity showing any evidence of defrosting, refreezing, or freezer deterioration will be rejected for use under this Specification.

2. Internal Product Temperature.

a. Requirements. The internal product temperature of the packaged frozen dices must be 2 °F (-16.7 °C) or lower at time of loading. Delivery units with internal product temperatures exceeding 2 °F (-16.7 °C) and up to 5 °F (-15 °C) will be tentatively rejected. Tentatively rejected delivery units may be returned to the freezer and the temperature reduced to 2 °F (-16.7 °C) or lower and reoffered one time only. Delivery units exceeding 5 °F (-15 °C) or delivery units that have been tentatively rejected and exceed 2 °F (-16.7 °C) when reoffered will be rejected for use under this Specification. Sample size for verifying internal product temperature will be according to the current Poultry Programs' sampling level as determined by the freezing history of the contractor.

b. Optional temperature verification. As an option to verifying internal product temperature at time of loading, the contractor may request an alternate method utilizing product temperature sensing devices. If this option is selected, a Federal-State supervisor will determine that the facilities, equipment, procedures, and the contractor's current level of freezing compliance are in accordance with the established guidelines outlined in the applicable Poultry Programs' instructions for this Specification.

C. Inspection and Checkloading

1. Requirements. Inspection for contract compliance will be made by a USDA representative, in accordance with 7 CFR Part 70, FSIS regulations, and this Specification, at the site of processing, both during and after processing and packaging. A USDA representative may select samples for laboratory analyses or inspect the commodity at any point in transit and

delivery to point of destination. Inspection records must be complete and made available to USDA, as requested, to assure contract compliance.

2. Procedures. The inspection and checkloading must be performed by a USDA/AMS Grader. Procedures to be followed and a schedule of fees for these services may be obtained by contacting the nearest Grading Branch field office or the Chief of the Grading Branch, Poultry Programs, AMS, USDA, Room 3938-S, STOP 0258, 1400 Independence Avenue, SW, Washington, D.C. 20250-0258, telephone (202) 720-3271. Certificates issued by the Grader must evidence the quality, quantity, weight, packaging, packing, and checkloading of the commodity. The contractor must not ship the commodity unless informed by the Grader that the designated lot to be shipped meets contract specifications.

V. UNITIZATION

Each delivery unit of commodity must be unitized (palletized and stretch-wrapped) and comply with the following:

A. Pallets

Pallets must be good quality, wood, 48 inches x 40 inches, nonreversible, flush stringer, and partial four-way entry. Each pallet of shipping containers must be stretch-wrapped with plastic film in a manner that will secure each container and layer of containers on the pallet. Palletized product must be loaded in a way that will prevent shifting and damage to the containers of product. Pallet loads shall be stacked in a manner that minimizes the overhang of the shipping containers over the edges of the pallets and exposes the principle shipping container display panels to facilitate certification examinations.

B. Pallet Exchange

Contractors may arrange for pallet exchange with consignees; however, USDA is not responsible for such arrangements.

VI. SHIPMENT AND DELIVERY

Shipment and delivery must be made in accordance with this Specification as amended by the applicable Announcement. In addition, the contractor must adhere to the following provisions:

A. Contract Compliance Stamp

Each shipping container must be identified with a USDA Contract Compliance stamp with the applicable certificate number. A Grader, or other authorized personnel under the supervision of the Grader, will stamp one end of each shipping container prior to shipment. If there is inadequate space available on either end of the shipping container, the stamp may be applied to a side of the container.

B. Grading Certificate

A copy of the original USDA Poultry Products Grading Certificate issued at time of checkloading must accompany each shipment.

1. Railcar or Piggyback. If shipment is by rail or piggyback, the Certificate must be placed in the railcar or trailer for easy access to the Grader, warehouseman, or consignee, as applicable.

2. Trucks. If shipment is by truck, the driver must, upon delivery, give the Certificate to the Grader, Warehouseman, or Consignee, as applicable.

C. Loading and Sealing of Vehicles

Loading must be in accordance with good commercial practices and the initial sealing must be done at origin under the supervision of a Grader. Thereafter, all delivery units--truck lot and less-than-truck lot (LTL) quantities--must be secured at all times prior to unloading with tamper proof, tamper resistant, serially numbered, high security seals. Suppliers of commodities, products and/or services shall be responsible for placing a seal(s) on all doors of each transportation conveyance upon completion of loading or servicing. Seals shall be serially numbered, barrier-type and meet the American Society for Testing and Materials (ASTM) Standards (F-1157-04). Seals shall be $\frac{1}{8}^{th}$ inch diameter cable, high security bolt, or equivalent. The contractor must maintain a record of each seal number used for truck lot and LTL delivery units. Additionally, the contractor must ensure that the applicable seal identification number is on each bill of lading, shipment manifest, or other delivery documents for each delivery destination.

When LTL delivery units are transported on the same trailer or railcar and destined for multiple recipients, the trailer or railcar must be sealed after each delivery. The seal number must be recorded on the appropriate delivery documents and correspond with the applied seal at the time of arrival at the next destination. It will be the responsibility of the contractor to provide a sufficient number of seals and ensure that the carrier service (truck or rail) secures the trailer or railcar after each delivery destination. Failure to seal the trailer or railcar after each stop may result in rejection of the shipment by the recipient agency at the next scheduled stop and rejection of any subsequent deliveries on the trailer or railcar.

1. Railcar. Each railcar must be sealed. The contractors are responsible for arranging for railcar deliveries of more than one delivery unit so that each delivery unit contained in the same railcar can be completely separated and sealed.

2. Truck or Piggyback. Truck or piggyback shipments must be sealed at origin. A delivery unit shipped by truck or piggyback which includes split deliveries to multiple destinations will require sealing after each drop in accordance with Section VI.C of this Specification.

D. Delivery Notification

The contractor must follow the instructions in the Notice to Deliver issued by the Kansas City Commodity Office (KCCO) concerning delivery notification. Such notification and information of impending delivery are vital in proper execution of delivery. The contractor must notify the State distributing agency and the consignee of shipment per instructions in the Notice to Deliver. For rail or piggyback shipments, notification shall be made on the day of shipment.

For truck shipments, notification of the estimated arrival time should be made as far in advance of delivery as possible. In addition, for truck or piggyback shipments, the contractor must request and keep scheduled appointment(s). Unloading appointments for truck or piggyback shipments must be requested from the consignee contact party(ies) at least 24 hours in advance of delivery.

1. In-Plant Deliveries. When in-plant delivery is made, the contractor must notify the appropriate resident Grader and furnish applicable information.

2. Delivery In Storage. Delivery may be made in store provided the destination in the Notice to Deliver and the place the contractor has the commodity in storage are the same. Inspection and certification by a Grader are also required for transfers in store.

3. Early Delivery. The contractor may deliver early upon approval of the KCCO. Approval may be obtained by telephoning (816) 926-6068. Approval is contingent on the recipient's concurrence to accept early delivery and upon a Grader being available to perform necessary checkloading and final acceptance duties.

E. Split Deliveries

The contractor is responsible to deliver the quantity stated on each Notice to Deliver to each destination. Contractors must provide to the Grader, at time of shipment, the number of boxes and pounds for each destination.

At the option of the contractor, a purchase unit with two or more Notices to Deliver (split deliveries) for multiple destinations may be delivered on separate trucks provided each truck ships the total quantity stated on the Notice to Deliver. Any additional costs will accrue to the contractor's account.

VII. DESTINATION EXAMINATION

The cost of a destination examination, before or after delivery, by a Grader on accepted product will be for the account of USDA. Costs for destination examinations of rejected delivery units will be for the account of the contractor. The USDA origin grader will make arrangements for destination examination prior to delivery.

A. Commodity Requirements

Before acceptance by consignee, the commodity may be examined by a Grader on a spot-check basis for temperature, condition, identity, and when applicable, count. The commodity may be examined for conformance to contract provisions at any time required by the Contracting Officer.

B. Temperature

The commodity must arrive at destination at an average internal product temperature not to exceed 10 °F (-12.2 °C) with no individual temperature exceeding 15 °F (-9.4 °C). Commodity not meeting these requirements will be rejected for use under this Specification.

Rex A. Barnes
Deputy Administrator
Poultry Programs

Attachments

USDA SYMBOL