USDA

Commodity Specification

BATTER/BREADED CHICKEN BREASTS, THIGHS, AND DRUMSTICKS

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USDA AGRICULTURAL MARKETING SERVICE AMS

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I. GENERAL

A. Product Description

Frozen cooked batter/breaded chicken breasts, thighs, and drumsticks (cooked chicken parts/commodity) produced under this Specification will be packaged and packed in the following form as specified in the contract:

Cooked (225230) Frozen cooked batter/breaded cut-up chicken (7 pieces - breasts, thighs, and drumsticks). The cooked chicken parts must be produced from ready-to-cook broiler/fryer chicken carcasses without neck and giblets, that weigh 3.0 to 3.50 pounds (1.36 to 1.59 kg) prior to the removal of wings. The commodity must be packaged or packed in a minimum of three plastic-film bags or layers, respectively, and packed 30 pounds (13.61 kg) net weight in each fiberboard shipping container, with 1,300 containers per purchase unit totaling 39,000 pounds (17,690 kg).

B. 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 US 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.

C. Commodity Complaints

The contractor/producer must immediately report all complaints received on the commodity to the Contracting Officer.

D. 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 commodity must not be processed prior to the date of the contract.

2. Class and Style. The commodity must be prepared from freshly slaughtered chickens (broiler/fryers, AMS 70.200 *et seq.*). Individual parts from ready-to-cook chickens must conform to the definitions and standards in AMS 70.201 and 70.210.

3. Origin of Chickens. The commodity must be produced and processed from chickens which 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 originating from sources other than the United States, its territories or possessions, Puerto Rico, or the Trust Territories of the Pacific Islands, the contractor must have an acceptable identification and segregation plan for those chicken carcasses and parts to ensure they are not used in the commodities produced under this Specification. This plan must be made available to a representative of the Grading Branch, Poultry Programs, AMS, USDA (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).

4. Inspection. Processing operations must comply with Poultry Products Inspection Regulations (9 CFR Part 381) and be under the supervision of a representative of USDA's Food Safety and Inspection Service (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 of compliance with the requirements of this Specification for ready-to-cook cut-up chickens; marinating, batter/breading, cooking of cut-up chicken parts; cooked batter/breaded cut-up chicken parts; packaging and packing; freezing; labeling and marking; net weight, and checkloading.

5. 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.

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

7. U.S. Grade.

a. Cooked chicken breasts, thighs, and drumsticks must be produced from ready-to-cook chicken parts which are U.S. Grade A for all factors, except for exposed flesh. Parts may be U.S. Grade B quality for exposed flesh.

b. Grading must be in accordance with 7 CFR Part 70 and AMS 70.200 *et seq.* Grading must be under the supervision of a Grader using the Poultry Programs' Sample Plan Level 1 (SPL-1).

8. Chicken from Other Plants. Chilled chicken or chicken parts may be transferred or obtained from other processing plants, provided they: (1) have been processed, handled, and

identified in accordance with this Specification, and (2) comply with the freshly slaughtered, organoleptic, temperature, and other applicable requirements of this Specification as evidenced by USDA certification.

a. Type, class, and specific name of product or part; U.S. grade, when applicable; date slaughtered; and USDA-assigned plant number must be shown on each shipping container.

b. The chilled chicken and chicken parts 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. Prerequisites for Cooked.

1. Carcass Weight. Cooked chicken parts must be prepared from freshly slaughtered broiler/fryer chickens which weigh 3.0 to 3.50 pounds (1.36 to 1.59 kg) without necks and giblets.

a. A sample of 10 carcasses will be randomly drawn and individually weighed for compliance with the weight range requirements in II.B.1. Compliance with individual weight requirements will be made prior to cutting carcasses into individual parts. The frequency of sampling will be according to Poultry Programs' Sample Plan Level 2 (SPL-2).

b. If any sample does not comply with the weight requirements, the product the sample represents will be rejected.

2. Cut-up Parts.

a. No frozen or previously frozen ready-to-cook chicken or chicken parts can be used. The chilled chicken or chicken parts must be processed into cooked batter breaded chicken breasts, thighs, and drumsticks within 7 calendar days after the day the chickens are slaughtered.

b. Ready-to-cook whole chickens must: (1) be cut into seven pieces-- three breast pieces without wings (three approximately equal size breast portions with back derived by cutting the keel portion--lower breast portion--from a whole breast and splitting the remaining breast with ribs portion--upper split breast portions--in half), two drumsticks, and two thighs with back portions, (2) comply with the grade criteria in II.A.7., and (3) comply with the requirements in II.C. All wings shall be removed and not used in the production of the commodity.
Clips, tags, or bands must not be attached to the parts. The neck must be separated from its junction with the body of the carcass. Separation of the wings and thighs from the carcass and separation of the drumsticks from the thighs must be accomplished at the joints or separation points described in AMS 70.210. All cuts must be in a neat manner without mutilation of adjacent muscle and/or bone and without producing bone splinters and may be made by mechanical means.

3. Thigh Portions. One of the following options is required to prepare thigh portions for cooking:

a. Options.

(1) The thigh bone of thigh portions must be dislocated from the hip joint to improve the cooking of the portions and to reduce discoloration around the area of the joint or thigh bone because of the size of these portions; or

(2) On the inside of the thigh, an incision the width of a knife blade must be made into the meat to the bone and along the thigh bone to aid in cooking and to minimize discoloration around the thigh bone.

b. Sample. A sample of 30 thighs will be drawn at random and examined prior to cooking. The frequency of sampling and the number of defects allowed will be those outlined in Poultry Programs' SPL-1 for the thigh preparation. If any sample has more defects for thigh preparation than the maximum tolerance for the sample plan, the product the sample represents will be rejected.

4. Organoleptic Requirements. The chilled ready-to-cook chicken and chicken parts used to produce cooked chicken breasts, thighs, and drumsticks will be examined on a continuous basis for the following organoleptic requirements: Chilled chicken and chicken parts must be free of rancidity; free of fruity, sulfide-like, cardboardy, tallowy, oily, oxidized, metallic, chlorine, or other foreign and off-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 and show no evidence of dehydration or freezing and thawing. Any chicken or chicken part that does not comply with the organoleptic requirements will be rejected for use under this Specification.

C. Processing

1. Marinating.

a. Requirements. Ready-to-cook chicken breasts, thighs, and drumsticks must be marinated in a solution of water, salt, and sodium phosphates before batter/breading and cooking/frying. The marinating solution must not exceed 10 percent (increase weight of the marinated parts by a maximum of 10 percent over their original ready-to-cook weight). The marinating solution (marinade) shall be comprised of the following:

Water	88.75 percent
Salt	6.75 percent
Phosphate	4.50 percent

b. Percent marinade. Marinated chicken parts will be sampled and weighed to calculate the percentage of marinade pick-up. A sample of seven ready-to-cook parts (the parts equivalent to one whole chicken without wings) will be drawn and weighed prior to marinating. The parts will be marinated and then weighed prior to cooking.

(1) The percentage of marinade pick-up will be determined in accordance with Poultry Programs' procedures and instructions.

(2) If any sample of chicken parts has more than 10-percent added marinade, the marinated chicken parts the sample represents will be rejected.

c. Marinade and finished product. Amount of marinade in chicken parts can affect adhesion of batter/breading or cause batter/breading to bubble, flake, or crumble when certain methods of cooking/frying are used. Contractor is responsible for adjusting amount of marinade and using the proper batter/breading for the specific method of cooking/frying marinated chicken parts so cooked batter breaded chicken breasts, thighs, and drumsticks comply with the requirements in II.C.5.

2. Batter/Breading.

a. Requirements for dry mixes.

(1) Type. Batter/breading must be the type used for marinated chicken parts to produce frozen precooked chicken that will be reheated in ovens by institutional users.

(2) Ingredients. The primary ingredient by weight of batter/breading must be: (a) enriched wheat flour, corn flour, or whole wheat flour; or (b) a combination of two or three of these flours. Other ingredients may be used to provide the needed adhesion and functional properties and to produce the desired appearance, color, texture, crispness, and flavor. No artificial color, monosodium glutamate, or hydrolyzed vegetable proteins can be used. Sodium phosphates may be used only as leavening agents in the batter/breading.

(3) Verification. The contractor must provide the Grader certification from the batter/breading manufacturer verifying these requirements for dry batter/breading mixes.

b. Application of uncooked batter/breading.

(1) Requirements. Uncooked batter/breading must be applied to a chicken part so all surfaces of meat and skin are covered. The amount of uncooked batter/breading must not exceed 25 percent of the weight of the battered and breaded parts.

(2) Percentage batter/breading. The commodity will be sampled and weighed to calculate the percentage of batter/breading pick-up. A sample of seven uncooked parts (the parts equivalent to one whole chicken without wings) will be weighed prior to batter/breading (un-breaded weight). The parts will then be battered, breaded, and weighed (breaded weight) prior to cooking.

(a) The percentage of batter/breading pick-up will be determined in accordance with Poultry Programs' procedures and instructions.

(b) If any sample of chicken parts has more than 25 percent batter/breading, the commodity the sample represents will be rejected.

(3) Other procedures. Other procedures for determining the amounts of uncooked batter/breading may be used when these methods are reviewed and approved by a Federal-State supervisor, Grading Branch, Poultry Programs.

3. Cooking/Frying.

a. Cooking. Chicken parts must reach an internal temperature of at least 165 °F (73.9 °C) during cooking. Acceptability of cooked parts will be determined by criteria in II.C.5.

b. Frying medium. When frying is used in the cooking process, vegetable oil must be used as the frying medium. Any oil product used must be of domestic origin and contain no *trans* fatty acids and /or be rich in polyunsaturated and monounsaturated fatty acids, such as, but not limited to corn oil, cottonseed oil, soybean oil, rice oil, safflower oil, sunflower oil or any mixture thereof. Use of saturated oils such as palm oil, coconut oil, and any other tropical oils is expressly prohibited. Vegetable oil must be the type used for heavy duty frying, must contain antioxidants, and may contain heavy metal scavengers and antifoaming agents which improve stability and extend use performance of the oil. Kind and amount of such additives must be in accordance with Food and Drug Administration (FDA) regulations.

(1) Vegetable oil must be filtered continuously during the frying process.

(2) Frying equipment must be cleaned daily.

(3) Vegetable oil in the frying system must be completely replaced with new vegetable oil when foaming becomes a problem or when off-flavors or off-odors develop (for example, metallic, oxidized, beany, soapy, bitter, or rancid).

(4) Vegetable oil used for cooking fish, shellfish, onions, or other foods which impart a flavor to oil must not be used for cooking/frying chicken parts.

4. Reprocessing.

a. Chicken parts which may be reprocessed for use under this Specification:

(1) Uncooked chicken parts, chicken parts with excess amounts of un-cooked batter/breading, or chicken parts with insufficient covering of uncooked batter/breading may be reprocessed by removing the uncooked batter/breading (as applicable) prior to pre-browning or cooking/frying. After removing the uncooked batter/breading, chicken parts may be re-breaded and cooked.

(2) Undercooked chicken parts or chicken parts with incompletely cooked batter/breading may be reprocessed by pre-browning or cooking/frying.

b. Chicken parts which may not be reprocessed for use under this Specification:

(1) Chicken parts with excess amounts of cooked batter/breading or cooked batter breaded chicken breasts, thighs, and drumsticks which do not meet the organoleptic requirements; or

(2) Cooked chicken parts with more defects than the maximum tolerance for: (a) color defects, or (b) batter/breading defects, or (c) meat defects for drumsticks.

5. Organoleptic Requirements and Defects. A sample of 10 cooked chicken parts will be drawn and examined for organoleptic requirements (color defects, batter/breading defects, and meat defects on drumsticks as shown in Table 1). The frequency of sampling and the number of defects allowed will be those outlined in Poultry Programs' SPL-2.

a. Organoleptic defects. If any sample of commodity does not comply with the organoleptic requirements, the cooked commodity the sample represents will be rejected for use under this Specification.

b. Color defects. The color of the cooked commodity must be a uniform golden brown that is no lighter than the "light tolerance" or darker than the "dark tolerance" shown in the color control guidelines for breaded chicken examples prepared by Poultry Programs, dated May 1994 (provided by the Poultry Programs to plants with a contract).

c. Tolerances. If any sample has more: (1) meat defects on the drumsticks; (2) defects for color; or (3) defects for batter/breading than maximum tolerance for the sample plan, the cooked commodity the sample represents will be rejected.

Table 1. Organoleptic Requirements and Defects for Cooked Chicken Breasts, Thighs, and Drumsticks

Organoleptic Requirements - Examined After Cooking:	Criteria: **Meat must be free of** rancidity; foreign materials (e.g., glass, paper, rubber, plastic, metal); and free of metallic, overcooked, burnt, scorched, bitter, oxidized, stale, fruity, beany, oily, soapy, or other odors foreign to properly prepared and cooked/fried chicken. **Meat must not be undercooked**; that is, must meet the following criteria: (1) Breast portions and drumsticks cooked until juices (fluid and moisture) around bones and in muscle tissue are clear in color. (2) Thigh portion cooked until: (a) blood in the femoral blood vessels along thigh bone is coagulated, and (b) muscle fibers adjacent to thigh bone can be easily separated (pulled apart) with a fork. **Meat must not be dry or overcooked**; that is: (1) Lacks moistness or devoid of moisture. (2) Muscle fibers shrunk to where they have a stringy texture. (3) Surfaces of meat dehydrated and tough. (4) Meat on cooked breast portions or thigh portions shrunk to the extent that meat is pulled away from the bone or the muscles are separated from each other. **Batter/Breading:** Individual parts must not have areas of scorched or burned batter/breading; or have batter/breading that is: (1) Soggy, excessively oily or greasy, or sticky. (2) Brittle or has a shell-like texture.
	Defects
Drumstick Examined After Cooking:	**A defect for a drumstick is** when the meat is shrunk to the extent that the meat is pulled away from the bone or drawn up on the bone exposing the bone, or muscles of the meat are separated from each other.
Color Examined After Parts Exit Final Cooking/Frying Step:	**A defect for color is** an individual cooked chicken part which does not have a golden brown color, or one with a golden brown color lighter than or darker than the tolerance shown in Poultry Programs' color control guidelines.
Batter/Breading - Undercooked Batter/Breading – Examined after cooking Areas Of Missing Batter/Breading Examined After Packing:	**A defect for batter breading that is not completely cooked is:** Batter/breading that is pale in color or doughy in appearance. **A defect for missing or not completely cooked batter/breading is:** (1) An individual area of missing or incompletely cooked batter/breading on a part which exceeds an area equivalent to the area of a circle approximately 1 inch (2.54 cm) in diameter. (2) An aggregate area of all areas with missing or not completely cooked batter/breading on a part which exceeds an area equivalent to the area of a circle approximately 1.50 inches (3.81 cm) in diameter.

6. Individual Freezing.

a. Cooked chicken breasts, thighs, and drumsticks must be chilled and individually frozen so the individual chicken parts do not stick together after they are packaged and packed in shipping containers.

b. Immediately after cooking/frying is completed, the internal product temperature of the commodity must be lowered continuously by an in-line chilling/freezing system.

c. The determination for 72-hour freezing verification of the commodity will be made as the commodity exits the in-line chilling/freezing system as follows:

(1) Individually frozen commodity exiting an in-line chilling/freezing system with internal product temperatures higher than 0 °F (-17.8 °C) must be packaged and placed in a freezer. The internal product temperature must be lowered to 0 °F (-17.8 °C) or lower within 72 hours from the time the commodity enters the freezer.

(2) Individually frozen commodity exiting an in-line chilling/freezing system with internal product temperatures 0 °F (-17.8 °C) or lower is in compliance with the 72-hour freezing requirement.

(3) In all cases, the commodity must be placed in a freezer within 4 hours of cooking/frying.

7. 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, and metal fragments from cutting equipment, and pieces of metal. Cooked chicken parts must be examined: (a) prior to packaging; or after they are (b) packaged, or (c) packed in 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 the examination of the commodity may be approved by the Deputy Administrator of Poultry Programs, in writing.

D. Packaging and Packing

1. 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 or 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.

Bags for packaging and/or packing the commodity must be a polyethylene-film bag with a wall thickness of not less than 2 mil (0.002 inch); and must protect the commodity from dehydration, freezer burn, or quality deterioration during the conditions of use.

Each plastic-film bag must be closed by: (i) heat sealing, (ii) twisting and taping with self-adhering tape, or other methods that will protect the commodity from dehydration or freezer burn and meet the tamper-evident requirement of this Specification. These closure methods must be approved by a representative of Poultry Programs, Grading Branch. Metal wire ties, paper-coated wire ties, or staples must not be used for sealing plastic-film bags.

b. Shipping containers. Shipping containers must: (1) be good commercial fiberboard containers that are acceptable by common or other carrier(s) 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 final closure. Staples must not be used for final closure 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.

2. Packaging and Packing Requirements.

a. Cooked chicken parts must be packaged in a minimum of three plastic-film bags in each shipping container.

b. Breast portions must be packaged in separate plastic-film bags. Thighs with back portions must be placed in separate plastic-film bags from the breast portions. Drumsticks must be placed in separate plastic-film bags from the breast portions and may be packed with the thigh portions.

c. As an alternative, cooked chicken parts may be packed or packaged in layers as follows:

(1) Packed in layers.

(a) Shipping container must be completely lined with a plastic-film bag. Plastic bags must be of a size that can be readily and easily closed without disturbing the layers of cooked product.

(b) In each bag-lined shipping container, cooked chicken parts must be packed in a minimum of three layers. Breast portions must be packed in separate layers. Thighs with back portions must be packed in separate layers from the breast portions. Drumsticks may be placed in separate layers or in the same layer as thighs. In each layer, parts: (i) must be

evenly distributed to facilitate separation without thawing, and (ii) must remain separated from the parts in other layers during handling and shipment. Layers must be separated by two sheets of low-density polyethylene plastic film with a thickness of not less than 2 mil (0.002 inch). Sheets must be 2 inches (5.08 cm) longer in length and width than the inside dimensions of the shipping container (all dimensions nominal).

(2) Layers packaged in plastic-film bags. As a packaging alternative, each layer may be packaged in a separate plastic-film bag with the parts evenly distributed to facilitate separation without thawing.

E. Packing Tolerances

1. Individual Shipping Containers. Cooked chicken parts in any individual shipping container need not come from the same whole chicken. Number and kind of parts or pieces (breast portions, thighs with back portions, drumsticks, etc.) in each shipping container must be proportional both in number and kind to those found in a whole chicken.

2. Tolerances.

a. Breast portions, thigh portions, and drumsticks. Breast portions must always exceed the numbers of thigh portions or drumsticks by a ratio of 3 to 2. Additionally, in a shipping container, the difference between the thigh portions and drumsticks must not be more than three. Example: A shipping container has 30 breast pieces, 20 thigh pieces, and 20 drumsticks. In this example, the thigh pieces, drumsticks, and breast portions are within the permitted range of 3.

3. Reject Criteria. If any sample (a shipping container of parts) does not meet the tolerance requirements, the shipping containers of parts the sample represents will be rejected.

III. LABELING

Commercial labeling (III.A. and III.F.-G.) or USDA labeling (III.B.-G.) must be used. When commercial or USDA labeling is selected, both the packages and shipping containers within a purchase unit must be labeled in that format. THE CONTRACTOR MUST USE THE SAME LABEL FORMAT (EITHER COMMERCIAL OR USDA) WITHIN A PURCHASE UNIT.

A. Commercial Labeling Requirements

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 labels. Distributors' labels will not be 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. USDA Labeling Requirements

When USDA labeling is used, any deviations from the USDA labeling requirements in this Specification must be approved by the Contracting Officer, in writing, prior to start of production. Labeling and marking of the commodity must be in accordance with this Specification. Labeling and marking information must be water-fast, non-smearing, of a contrasting color, clear, and readable.

C. USDA Labeled Packages

No labeling information is required on the packaging materials.

D. USDA Labeled Shipping Containers

1. Labeling and Marking Information.

a. Requirements. Labeling and marking information must be preprinted, stamped, or stenciled on each shipping container; or printed on a self-adhesive label and applied to each shipping container. This information, in essentially the same layout, is provided in EXHIBITS 1 and 2.

b. Nutritional labeling. A nutritional label, indicating the nutrient content of the commodity, is required on the principal display panel of each shipping container. The nutritional facts information or "Nutrition Facts Label" must comply with all labeling requirements of FSIS, and, in addition, include the declaration of trans fat consistent with FSIS policy. The nutrition facts information must be preprinted on the principal display panel of each shipping container, or printed on a self-adhesive label and applied to the principal display panel of each shipping container. The self-adhesive label must not cover or conflict with the labeling requirements of this Specification.

c. Ingredient labeling. Must comply with all labeling requirements of FSIS. In addition, must include the source declaration of allergens when the source is not identified in the names of ingredients from any of the eight major allergens categories.

d. Universal product bar code.

(1) A Universal Product Code (UPC), symbol and code, called Interleaved 2 of 5 (I 2/5), must appear on each shipping container. The complete code, including the check digit, must be printed in machine-readable and human-readable form. The start and stop indicators will be included in the bar codes. Printing, readability, and scanability of the bar code must be in accordance with UPC guidelines published by Uniform Code Council, Inc., Princeton Pike Corporate Center, 1009 Lenox Drive, Suite 202, Lawrenceville, NJ 08648.

(2) The contractor will use the code furnished by USDA. USDA has acquired a unique manufacturer's identification number for the commodity purchase programs and will use a unique item code number for cooked batter/breaded cut-up chicken purchased under this Specification. The contractors need not join Uniform Code Council, Inc.

(3) The 14-digit UPC code for shipping containers of cooked chicken breasts, thighs, and drumsticks is: 1 07 15001 01516 4

(4) The UPC code must be placed in the lower right-hand corner of the principal display panel of each shipping container.

2. Recycle Symbol and Statement. The contractor shall place somewhere on the surface of each recyclable shipping container the recycle symbol shown in EXHIBIT 3. The statement "PLEASE RECYCLE" is to be placed under the symbol. The recycle symbol and statement must be legibly printed in permanent ink.

3. Inventory Control Label. The processor may use a pressure-sensitive label to place any additional information (including bar codes) for processor inventory control purposes. This label may be applied somewhere on the surface of the shipping container. The label must not cover or conflict with the labeling requirements of this Specification.

E. Use of Previously Printed USDA Labeling Materials

Carryover inventories of existing supplies of printed packing materials (USDA labeling) from the Commodity Specification for Batter/Breaded Chicken Parts dated May 2007 may be used. If the ingredients statement or nutrition facts label changes from that printed on existing supplies, the contractor/processor must request temporary approval for use of carryover inventories from FSIS. Shipping containers and labels with incorrect: (1) contract number, (2) plant number, or (3) date packed must be corrected before they are used. The incorrect information must be blocked out and the correct information legibly printed, stenciled, or stamped in permanent ink. Additionally, the name, address, and phone number of the processor must appear on each shipping container.

F. Additional Labeling Issues

The following are not acceptable for use under this Specification:

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

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

-- Distributor commercial labels.

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

-- Commercial labels and USDA labels in the same purchase unit.

G. 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 Batter/Breaded Chicken Breasts, Thighs, and Drumsticks 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 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 39,000 pounds (17,690 kg) net, or multiples thereof.

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

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

d. Fifteen (15) shipping containers will be selected at random from a delivery unit to determine net weight. The total net weight of the 15 shipping containers must be equal to or greater than 450 pounds (204.12 kg).

(1) If the total net weight is less than 450 pounds (204.12 kg), but greater than or equal to 445.50 pounds (202.08 kg), the delivery unit with the following average net weight per container will be accepted at the corresponding discount:

(Average Test Net Weight Per Container)

Less Than	But Not Less Than	Contract Price Discount
30.0 pounds (13.61 kg)	29.7 pounds (13.47 kg)	1.0%
29.7 pounds (13.47 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 445.50 pounds (202.08 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 29.70 pounds (13.47 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 (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

1. Visual Inspection. 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. Internal product temperature of the frozen commodity 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.

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 contractors' 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 after 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 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 Grading Branch, Poultry Programs, AMS, USDA, Room 3938-S, STOP 0258, 1400 Independence Avenue, SW, Washington, D.C. 20250-0258, telephone (202) 720-3271. The quality, quantity, weight, packaging, packing, and checkloading of the commodity must be evidenced by certificates

issued by the Grader. The contractor must not ship the commodity unless informed by the Grader that the designated commodity to be shipped meets contract specifications.

V. UNITIZATION

Each delivery unit 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, and the applicable Announcement and Invitation. 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.

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 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

EXHIBIT 1
USDA Labeled Shipping Containers

Marking Information: Shipping containers may be marked substantially as shown below. Detailed USDA labeling information is provided in Exhibit 2. Markings must be legibly preprinted, stamped, stenciled on containers, or printed on a separate self-adhesive label applied to containers. The USDA symbol, copy on back of Specification, is to be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the top panel or the principal display panel. The processor's name, address, and phone number may be printed on the top panel or the principal display panel. The processor's name and address may indicate the individual processing plant, the company headquarters, or the company address and phone number that handles product complaints.

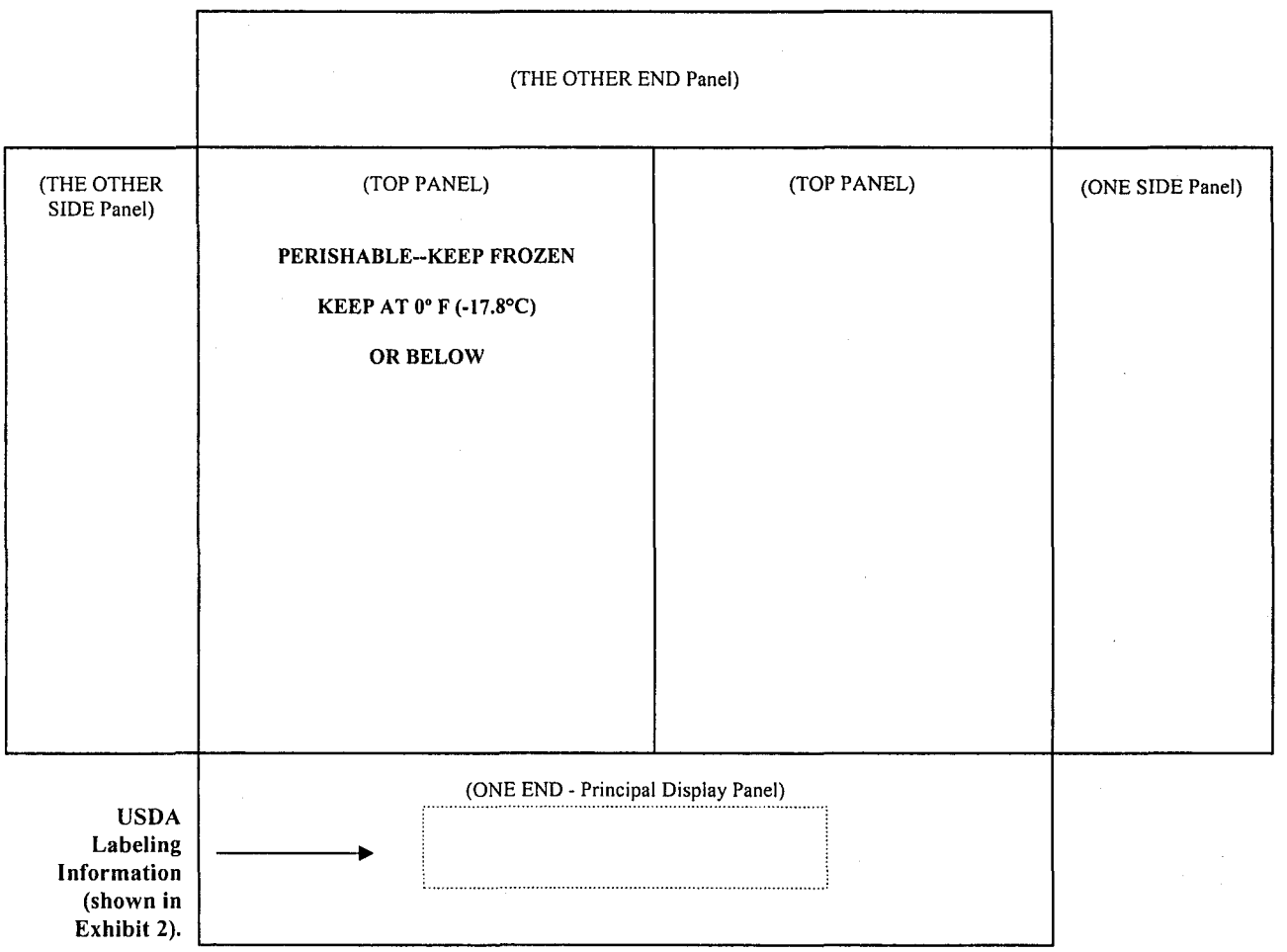


EXHIBIT 2
USDA Labeling Information for Cooked Batter/Breaded Chicken Breasts, Thighs, and Drumsticks

Marking Information: USDA labeling information must be printed on the principal display panel of each shipping container as provided in Exhibit 1. Markings must be legibly preprinted, stamped, stenciled on containers, or printed on a separate self-adhesive label applied to containers. The UPC 14-digit I 2/5 code (1 07 15001 01516 4), symbol and code, must be shown in the lower right-hand corner of the principal display panel. The USDA symbol, copy on back of Specification, must be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the top panel or the principal display panel. The processor's name, address, and phone number may be printed on the top panel or the principal display panel. The processor's name and address may indicate the individual processing plant, the company headquarters, or the company address and phone number that handles product complaints.

FROZEN COOKED BATTER/BREADED CHICKEN BREASTS, THIGHS and DRUMSTICKS

Ingredients:

(Food Allergen Statement , if applicable, May Be Placed Here)

Processor's Name, Address, and Phone

Nutrition Facts Label May Be Placed Here

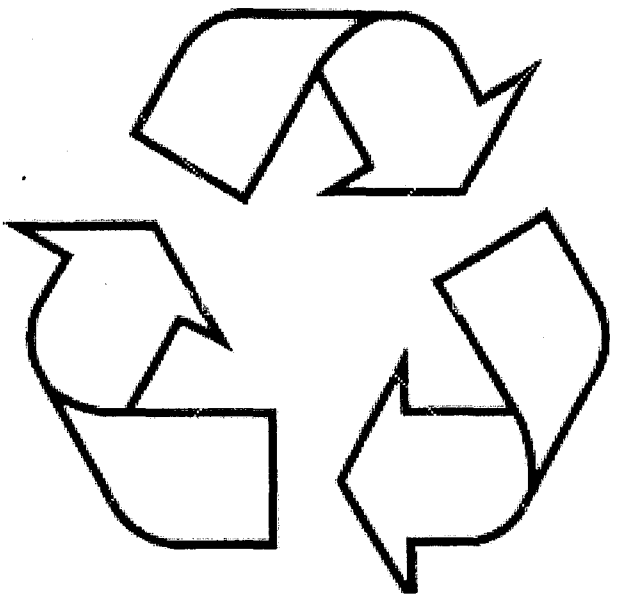
KEEP FROZEN

___ Net Weight
30 LBS. (13.61 KG)

CONTRACT NO. _____
DATE PACKED Month, Day, and Year

UPC Symbol and Code

EXHIBIT 3
"Please Recycle" Symbol and Statement



PLEASE RECYCLE

USDA SYMBOL