



Commodity Specification

**BATTER/BREADED
CHICKEN PARTS**

MAY 2002



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I. GENERAL

Frozen cooked batter/breaded cut-up chickens (cooked chicken parts/commodity) produced under this Specification will be packaged and packed in the following form as specified in the contract:

Cooked (221530) - Frozen cooked batter/breaded cut-up chickens, 8 pieces. The cooked chicken parts must be produced from ready-to-cook broiler/fryer chickens which weigh 2.50 to 3 pounds (1.13 to 1.36 kg) without necks and giblets. 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).

II. COMMODITY SPECIFICATIONS

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 standard 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 products 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 products 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 USDA grader or other Government official(s) in accordance with Article 76 of USDA-1.
4. Inspection. Processing operations must comply with Poultry Products Inspection Regulations (9 C.F.R. 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 C.F.R. part 70) and the U.S. Classes, Standards, and Grades for Poultry (AMS 70.200 *et seq.*) under the supervision of a USDA grader. The USDA 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;

II.A.

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. Product Temperature. The temperature of commodity, unless otherwise specified, must comply with all FSIS raw product regulations (9 C.F.R. § 381.66) and FSIS cooked product regulations and directives throughout all operations including transportation between plants.

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

8. U.S. Grade.

a. Cooked chicken parts must be produced from ready-to-cook 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 C.F.R. part 70 and AMS 70.200 *et seq.* Grading must be under the supervision of a USDA grader using the Poultry Programs' Sample Plan Level 1 (SPL-1).

9. Chicken Products 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 EF (4.4 EC) and not lower than 26 EF (-3.3 EC) 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 2.50 to 3 pounds (1.13 to 1.36 kg) without necks and giblets.

II.B.1.

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 parts within 7 calendar days after the day the chickens are slaughtered.

b. Ready-to-cook whole chickens must: (1) be cut into eight pieces--two wings, two drumsticks, two breast quarters without wings (two breast halves with back portions), and two thighs with back portions, (2) comply with the grade criteria in II.A.8., and (3) comply with batter/breading and cooking requirements in II.C.

c. 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. These cuts may be made by mechanical means.

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

a. 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

b. 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.

c. 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.

II.B.

4. Organoleptic Requirements. The chilled ready-to-cook chicken and chicken parts used to produce cooked chicken parts 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, 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 parts must be marinated in a solution of water, salt, and sodium phosphates before batter/breading or 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. Restricted phosphates. Amount and kind of restricted phosphates must comply with FSIS regulations (9 C.F.R. 424.21(c)).

c. Percent marinade. Marinated chicken parts will be sampled and weighed to calculate the percentage of marinade pick-up. A sample of 8 ready-to-cook parts (the parts equivalent to one whole chicken) will be drawn and weighed prior to marinating. The parts will be marinated and 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.

d. 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 parts 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) Restricted additives and ingredients. Kind and amount of restricted food additives and ingredients in batter/breading must be those permitted by FSIS.

(4) Verification. The contractor must provide the USDA 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 8 uncooked parts (the parts equivalent to one whole chicken) will be weighed prior to batter/breading (unbreaded 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 amount of uncooked batter/breading may be used when these methods are in accordance with established FSIS procedures and have been reviewed and approved by a Federal-State supervisor, Grading Branch, Poultry Programs.

II.C.

3. Cooking/Frying.

a. Cooking. Chicken parts must comply with FSIS current regulations (9 C.F.R. § 381.150) and directives for cooked products, and must reach an internal temperature of at least 165 EF (73.9 EC) 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. Only corn oil, cottonseed oil, soybean oil, or a mixture of these oils may be used. Use of 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 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 chicken 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 uncooked 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 prebrowning or cooking/frying. After removing the uncooked batter/breading, it may be reapplied to the chicken parts.

(2) Undercooked chicken parts or chicken parts with not completely cooked batter/breading may be reprocessed by prebrowning 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 parts 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 and wings.

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 and wings as shown in Table 1, below. 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 and wings; (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.

II.C.5.

Table 1. Organoleptic Requirements and Defects for Cooked Parts

<p>Organoleptic Requirements - Examined After Cooking:</p>	<p>Criteria: Meat must be free of rancidity; foreign materials (e.g., glass, paper, rubber, 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.</p> <p>Meat must not be undercooked; that is, must meet the following criteria:</p> <ol style="list-style-type: none"> (1) Breast portions, drumsticks, and wings 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 artery along thigh bone is coagulated, and (b) muscle fibers adjacent to thigh bone can be easily separated (pulled apart) with a fork. <p>Meat must not be dry or overcooked; that is, :</p> <ol style="list-style-type: none"> (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 extent meat is pulled away from the bone or the muscles are separated from each other. <p>Batter/Breading: Individual parts must not have areas of scorched or burned batter/breading; or have batter/breading that is:</p> <ol style="list-style-type: none"> (1) Soggy, excessively oily or greasy, or sticky. (2) Brittle or has a shell-like texture.
<p>Drumstick and Wing Meat Defects - Examined After Cooking:</p>	<p>A defect for a drumstick or wing 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.</p>
<p>Color Defects - Examined After Parts Exit Final Cooking/Frying Step:</p>	<p>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.</p>
<p>Batter/Breading Defects - Not Completely Cooked (pale in color or doughy in appearance) Batter/Breading- Examined After Cooking:</p> <p>Areas Of Missing Batter/Breading - Examined After Packing:</p>	<p>A defect for missing or not completely cooked batter/breading is:</p> <ol style="list-style-type: none"> (1) An individual area of missing or not completely 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 parts 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 at a rate of cooling which complies with FSIS temperature directives and guidelines.

c. The determination of commodity for 72-hour freezing verification 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 (in II.C.6.c. above).

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

7. Metal Detection.

a. Requirements.

(1) 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 wire.

(2) The commodity must be presented correctly within the detection field pattern of the device. Procedures used must be appropriate for the dimensions, location, and pattern of the detection field, the "orientation effect" on the sensitivity of the device, the environmental conditions, and the commodity.

b. Operating efficiency and procedures. The operating efficiency of the metal detection device will be determined hourly by the USDA grader by placing a detection test strip with a sphere of 440 stainless steel in the center of the detection field pattern. Poultry Programs will provide the detection test strip with the stainless steel sphere of the specified diameter.

(1) Cooked chicken parts must be examined: (a) layered prior to packaging; or after they are (b) packaged, or (c) packed in shipping containers.

II.C.7.

(2) The USDA grader will use a detection test strip with a: (a) 1.50 mm (0.0591 inch) sphere for the examination of layered commodity, or (b) 3.00 mm (0.1181 inch) sphere for commodity examined in a package or a shipping container.

c. Contaminated product. These guidelines do not relieve the contractor of the responsibility to provide a safe product. Commodity suspected of being contaminated with metal, or found to be contaminated with metal, will be handled in accordance with FSIS procedures.

d. Other detection 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: (a) comply with the requirements of this Specification, (b) be clean and in new condition, and (c) not impart objectionable odors or flavors to the commodity.

a. Plastic-film bags.

(1) Plastic-film bags must be safe (cannot adulterate product or be injurious to health) for use in contact with food products. The safety of food contact packaging materials will be in accordance with 9 C.F.R. § 381.144.

(2) Plastic-film bags for packaging and/or packing the commodity must be a low-density polyethylene film bag with a wall thickness of not less than 2 mil (0.002 inch). Any seams must provide the same protective qualities as the body of the bag. Plastic-film bags must have: (a) low-temperature flexibility (not brittle) and durability to resist stress-cracking caused by the temperatures of freezing and frozen storage, and (b) the impact strength, tensile strength, and tear resistance to protect the commodity from dehydration, freezer burn, or quality deterioration during the conditions of use.

(3) Metal wire ties, paper-coated wire ties, or staples must not be used for sealing plastic-film bags. Plastic-coated wire ties may be used, provided the wire and plastic are bonded so that under the conditions of use, the wire and plastic do not separate, the wire is not exposed, and the plastic does not crack or break. Further, the ties must be constructed to preclude damage to the packaging material and be of sufficient size and contrasting color to make them easily seen.

b. Shipping containers.

(1) Requirements. Shipping containers must: (a) be a fiberboard container; (b) be of such size to pack the commodity without slack filling or bulging; (c) protect the commodity from contamination and against loss and damage; (d) withstand the variations in humidity and temperature during the conditions of use; and (e) have the combined facings weight, and the compression strength (edge crush value) to withstand the stresses of handling, shipping, stacking, and storage.

(2) Container bottom. Flaps on the bottom of a shipping container must be securely fastened so the bottom remains securely fastened when the top of the container is opened.

(3) Final closure. Final closure of fiberboard shipping containers must be secure and made with commercially acceptable filament-reinforced tape, plastic-film packaging tape, non-metallic strapping, adhesive, or other similar types of materials that are applicable for cold temperature storage conditions and that provide for safe handling of the commodity. Steel or wire straps must not be used for final closure. Staples must not be used for final closure of any style of shipping container. Adhesive or staples cannot be used to fasten the top portion of telescope-style containers to the bottom portion. However, 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 halves with back portions must be packaged in separate plastic-film bags. Thighs with back portions must be placed in separate bags. Drumsticks and wings may be placed in separate bags or in one bag.

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. Each plastic-film bag must be closed by: (i) tying, or (ii) folding and taping or rolling and taping in a manner that will protect the commodity from dehydration or freezer burn.

II.D.2.

(b) In each bag-lined shipping container, cooked chicken parts must be packed in a minimum of three layers. Breast halves with back portions must be packed in separate layers. Thighs with back portions must be packed in separate layers. Drumsticks and wings may be placed in separate layers or in the same layer. In each layer, parts: (i) must be evenly distributed to facilitate separation without thawing, and (ii) must remain separated from the parts in the 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. Each plastic-film bag must be closed by: (a) tying, (b) interlocking, (c) folding and taping or rolling and taping, or (d) sealing in a manner that will protect the commodity from dehydration or freezer burn, and quality deterioration during storage.

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 halves or breast portions with back portions, thighs with back portions, drumsticks, wings, etc.) in each shipping container must be proportional both in number and kind to those found in a whole chicken.

2. Tolerances.

a. Thigh pieces, drumsticks, and breast pieces. In a shipping container, the difference between the part having the least pieces and the part having the most pieces must not be more than four.

b. Wings. Other chicken parts in approximately natural proportions may be substituted for wings. The wings must not exceed the number of pieces of the part (breast, thigh, or drumstick) in the shipping container having the greatest number of pieces. For example, if a shipping container of eight-piece, cooked cut-up chicken contains 42 breast pieces, 38 thigh pieces, and 39 drumsticks, wings must not exceed 42 pieces.

c. Example: A shipping container has 27 breast pieces, 31 thigh pieces, 30 drumsticks, and 32 wings. In this example, the thigh pieces, drumsticks, and breast pieces are within the permitted range of 4, but since the wings exceed the number of pieces of the other part with the greatest number of pieces in the shipping container (32 wings exceed 31 thigh pieces), the product does not meet tolerance requirements.

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

USDA labeling (III.A.-D. and III.F.-G.) or commercial labeling (III.E.-G.) must be used. When USDA or commercial 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 USDA OR COMMERCIAL) WITHIN A PURCHASE UNIT.**

A. 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.

1. Labeling Provisions. Labeling and marking of the commodity must be in accordance with this Specification. The name, address, and phone number of the manufacturer must appear on each shipping container.

2. Printing Requirements. Labeling and marking information must be water-fast, nonsmearing, of a contrasting color, clear, and readable.

B. USDA Labeled Packages

No labeling information is required on the packaging materials.

C. USDA Labeled Shipping Containers

1. Recycle Symbol and Statement. The contractor shall place somewhere on the surface of each recyclable shipping container the recycle symbol shown in EXHIBIT 1. The statement "PLEASE RECYCLE" is to be placed under the symbol. The recycle symbol and statement must be legibly printed in permanent ink.

2. Labeling and Marking Information.

a. Requirements. Labeling and marking information must be: (1) preprinted, stamped, or stenciled on each shipping containers; or (2) printed on a pressure-sensitive label and applied to each shipping container. This information, in essentially the same layout, is provided in EXHIBITS 2 and 3.

b. "END" and "SIDE" designations. For the purpose of labeling and marking, the "end" and "side" panels may relate to the shortest and longest dimensions of the shipping container at the discretion of the contractor/processor. However, the panels must alternate between "end" panel and "side" panel designation with the two side panels and two end panels being located on opposite panels of the shipping container.

3. TOP PANEL- Labeling and Marking. The following information is required (as applicable) on the top panel of each shipping container:

III.C.3.

a. Storing instructions. The following storing instructions must be printed on the top panel of each shipping container:

PERISHABLE--KEEP FROZEN
KEEP AT ZERO DEGREE F (-17.8 EC) OR BELOW

b. USDA symbol and manufacturer identification. The following must be printed on the “top panel” or the “one end” designated panel of each shipping container:

(1) The USDA symbol, copy on back of Specification, is to be a minimum of 2.25 inches (5.72 cm) in height.

(2) The manufacturer’s name, address, and phone number.

4. ONE END Panel - Labeling and Marking. The following information is required (as applicable) on one end of each shipping container:

a. Type, name, and ingredients statement. The following information is required on the “one end” designated panel of each shipping container

FROZEN COOKED BATTER/BREADED
CUT-UP BROILER/FRYER CHICKENS

Ingredients:

The ingredients statement must appear on the “one end” panel of the shipping container following the commodity type and name. Ingredients must be listed by proper name and in proper order in accordance with FSIS regulations (9 C.F.R. § 381.118).

b. Inspection mark and plant number. The USDA inspection mark and USDA-assigned plant number must be printed on the “one end” designated panel of each shipping container.

c. Storing instructions. The following storing instructions must be printed on the “one end” designated panel of each shipping container:

KEEP FROZEN

d. Net weight. The following net weight statement is required on the “one end” designated panel of the shipping container:

Net Weight 30 LBS. (13.61 KG)

III.C.4.

e. Nutritional labeling. A nutritional label, indicating the nutrient content of the commodity, is required on the “one end” designated panel of each shipping container. This nutritional facts information or “nutrition facts panel” must be in compliance with the FSIS nutritional labeling requirements.

(1) The contractor/processor must select one of the following methods of providing the nutrition facts panel:

(a) Preprinted on the “one end” designated panel of each shipping container; or

(b) Printed on a pressure-sensitive label and applied to the “one end” designated panel of each shipping container. The pressure-sensitive label must not cover or conflict with the labeling requirements of this Specification.

(2) NOTE: The nutrition facts information and panel must be approved per FSIS regulations prior to shipment of the commodity. The method of providing and location of this information for each shipping container (preprinted or pressure-sensitive label) must be indicated on the FSIS label application.

f. Contract number and pack date. The following information must be printed on the “one end” designated panel of each shipping container:

(1) Last five digits of the contract number as it appears in the acceptance wire.

(2) Date packed (month, day, and year).

g. 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., 7887 Washington Village Drive, Suite 300, Dayton, Ohio 45459.

(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.

III.C.4.

(3) The 14-digit UPC code for shipping containers of cooked chicken parts is:
1 07 15001 01516 4

(4) The UPC code must be placed in the lower right-hand corner of the “one end” designated panel of each shipping container.

h. USDA symbol and manufacturer identification. The following must be printed on the “one end” or the “top panel” designated panel of each shipping container:

(1) The USDA symbol, copy on back of Specification, is to be a minimum of 2.25 inches (5.72 cm) in height.

(2) The manufacturer’s name, address, and phone number.

5. ONE SIDE Panel - Labeling and Marking. No labeling information is required on the side panel immediately to the right of the “one end” designated panel.

6. THE OTHER END Panel - Labeling and Marking. No labeling information is required on the end opposite the panel designated “one end.”

7. THE OTHER SIDE Panel - Labeling and Marking. No labeling information is required on the side opposite the panel designated “one side.”

8. 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:
(a) contain the contractor or processor name or address, or (b) cover or conflict with the labeling requirements of this Specification.

D. 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 April 1999 may be used. If the ingredients statement or nutrition facts panel 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 manufacturer must appear on each shipping container.

E. 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. Distributor Labels. Commercial labels must be the manufacturer's own commercial label. Distributors' labels will not be allowed.

2. Traceable Product.

a. The manufacturer 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.

b. The required product identification and record system, including codes, must be reviewed by USDA before production begins for the contract(s). The USDA grader will include the product identification code on the USDA Poultry Grading Certificate that will accompany the product to destination.

F. Additional Labeling Issues

The following will not be accepted for use under this Specification:

- Commercial labels that do not have a manufacturer traceability system and code are not allowed.
- Commercial labeling traceability coding and systems that have not been reviewed by a representative of Poultry Programs, Grading Branch are not allowed.
- Distributor commercial labels are not allowed.
- Two or more different commercial labels are not allowed in the same purchase unit.
- Commercial labels and USDA labels are not allowed 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 USDA 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 Parts dated May 2002, 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. below, 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)

	: But Not	: Contract
<u>Less Than</u>	: <u>Less Than</u>	: <u>Price Discount</u>
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 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 EF (-16.7 EC) or lower at time of loading. Delivery units with internal product temperatures exceeding 2 EF (-16.7 EC) and up to 5 EF (-15 EC) will be tentatively rejected. Tentatively rejected delivery units may be returned to the freezer and the temperature reduced to 2 EF (-16.7 EC) or lower and reoffered one time only. Delivery units exceeding 5 EF (-15 EC) or

IV.B.2.

delivery units that have been tentatively rejected and exceed 2 EF (-16.7 EC) 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 C.F.R. 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 required by Articles 54 and 55 of USDA-1 must be performed by a USDA 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 USDA grader. The contractor must not ship the commodity unless informed by the USDA grader that the designated commodity to be shipped meets contract specifications.

V. UNITIZATION

Each delivery unit must be unitized (palletized and stretchwrapped) and comply with the following:

A. Pallets

Pallets must be good quality, wood, 48 inches x 40 inches, nonreversible, flush stringer, and partial fourway entry. Each pallet of shipping containers must be stretchwrapped 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.

B. Pallet Exchange

Contractors may arrange for pallet exchange with consignees; however, USDA is in no way responsible for such arrangements.

VI. SHIPMENT AND DELIVERY

Shipment and delivery must be made in accordance with this Specification, the applicable Announcement and Invitation, and Articles 56, 57, and 64 of USDA-1, as amended by the 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 USDA grader, or other authorized personnel under the supervision of the USDA 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 USDA grader, warehouseman, or consignee, as applicable.

2. Trucks. If shipment is by truck, the driver must, upon delivery, give the certificate to the USDA grader, warehouseman, or consignee, as applicable.

C. Loading and Sealing of Vehicles

Loading must be in accordance with good commercial practices and the sealing must be done at origin under the supervision of a USDA grader.

1. Railcar. Each railcar must be sealed. The contractors are responsible for arranging 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 not require separation by sealing each drop.

VI.

D. Delivery Notification

Notwithstanding the provisions of Article 56(c) of USDA-1, as amended by the applicable Announcement, 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 USDA 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 USDA 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 the USDA 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 USDA 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

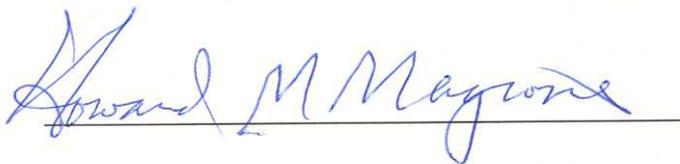
The cost of a destination examination, before or after delivery, by a USDA grader on accepted product will be for the account of USDA. Costs for destination examinations of rejected delivery units will be for the account of the contractor. The USDA origin grader will make arrangements for destination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

A. Commodity Requirements

Before acceptance by consignee, the commodity may be examined by a USDA 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.

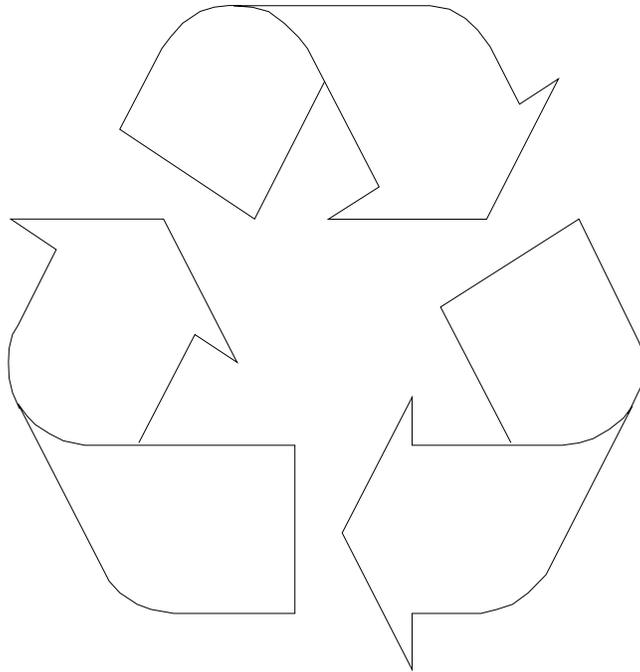
The commodity must arrive at destination at an average internal product temperature not to exceed 10 °F (-12.2 °C) with no individual temperature exceeding 15 °F (-9.4 °C). Commodity not meeting these requirements will be rejected for use under this Specification.



Howard M. Magwire
Deputy Administrator, Poultry Programs

Attachment

EXHIBIT 1
“Please Recycle” Symbol and Statement



**PLEASE
RECYCLE**

EXHIBIT 2
USDA Labeled Shipping Containers

Marking Information: Shipping containers may be marked substantially as shown below. Detailed USDA labeling information is provided in Exhibit 3. Markings must be preprinted, stamped, stenciled on containers, or printed on a separate pressure-sensitive label applied to containers. The USDA symbol is to be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the "TOP PANEL" or "ONE END" designated panel. The manufacturer's name, address, and phone number may be printed on the "TOP PANEL" or "ONE END" designated panel.

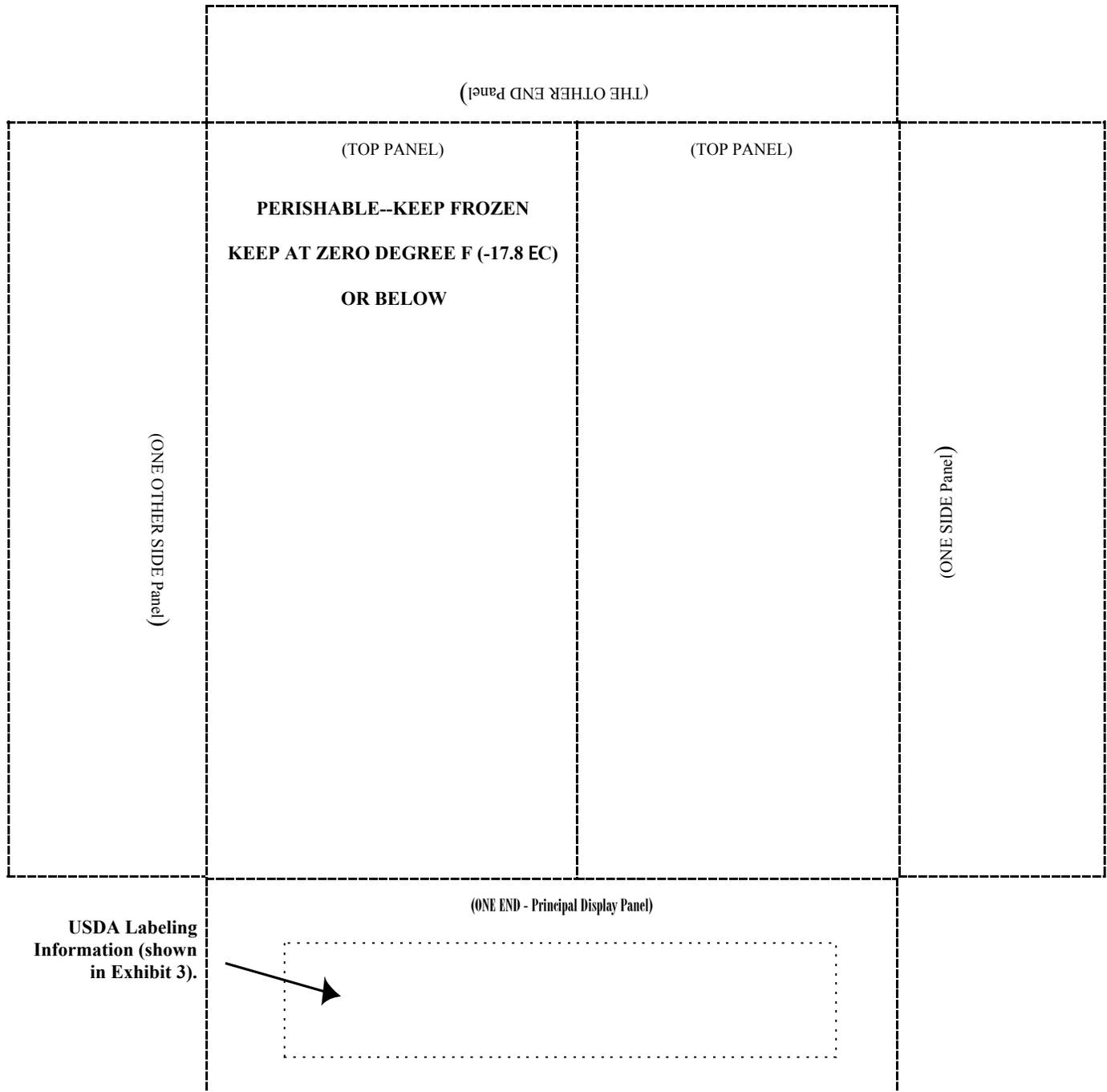


EXHIBIT 3
USDA Labeling Information for Cooked Batter/Breaded Chicken Parts

Marking Information: USDA labeling information must be printed on the “ONE END” panel of each shipping container as provided in Exhibit 2. Markings must be preprinted, stamped, stenciled on containers, or printed on a separate pressure-sensitive label applied to containers. The UPC 14-digit I 2/5 code (1 07 15001 01516 4), bar and code, must be shown in the lower right-hand corner of the “ONE END” designated panel. The USDA symbol must be a minimum of 2.25 inches (5.72 cm) in height and may be printed on the “TOP PANEL” or “ONE END” designated panel. The manufacturer’s name, address, and phone number may be printed on the “TOP PANEL” or “ONE END” designated panel.



FROZEN COOKED BATTER/BREADED CUT-UP BROILER/FRYER CHICKENS



Ingredients:

**Manufacturer's
Name, Address, and Phone**

**Nutrition Fact Panel
May Be Placed Here**

KEEP FROZEN

**Net Weight
30 LBS. (13.61 KG)**

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

UPC Bar and Code

USDA SYMBOL

