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Marketing and
Regulatory
Programs

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Vegetable
Program

Specialty
Crops
Inspection
Division

Commodity Specification Frozen Fruit Juices

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I. General**A. U.S. Standards**

Frozen fruit juices (product/commodity) produced under this Commodity Specification must meet the requirements specified in the applicable United States Standards for Grades of frozen fruit juices (U.S. Standards) effective on the date of the Solicitation/Invitation for Bid (IFB). The U.S. Standards are published separately and are incorporated herein and made a part of this Commodity Specification.

B. Exceptions to U.S. Standards

Exceptions to the U.S. Standards for the Department of Agriculture (USDA) frozen fruit juices purchases are found in Section II, Individual Product Specifications, of this document. Additional exceptions may be specified in the applicable Invitation. Any exceptions contained in the applicable Solicitation/IFB shall have precedence over the requirements contained herein, for that Solicitation/IFB only.

C. Product Origin

1. Commodities delivered pursuant to this Commodity Specification shall have originated from crops that have been 100 percent grown, processed, and packed in the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Trust Territories of the Pacific Islands, (hereinafter referred to as the United States). See Section I.F. of the Master Solicitation.
2. If the contractor handles any commodity originating from sources other than the United States, the contractor must have a written plan to segregate the commodity. This segregation plan will include an identification and record system for all commodities to ensure they are completely segregated and cannot be used to fulfill contracts awarded by USDA. Such segregation plan must be made available, within 10 days of contract award, to representatives of the Agricultural Marketing Service (AMS).
3. The contractor must maintain positive written documentation records evidencing 100 percent domestic origin to the grower level. Contractors must also ensure that the documentation provided by any sub-contractors demonstrates the same level of traceability. The burden of proof of compliance is on the contractor.

Documentation may include load or warehouse storage receipts for raw product (i.e., bin tags), product blend (formulation) records, product coding explanations, finished product warehousing records, shipping or payment records, or other documentation or evidence that clearly establishes the product's domestic origin.

4. Contractors must provide the domestic origin certification and supporting documentation records to representatives of the AMS Fruit and Vegetable Programs Specialty Crops Inspection (SCI) Division (USDA Inspector) when requesting inspection service. USDA Inspector will select and review at least one code for each purchase order to determine compliance with the Agency's domestic origin requirements.

5. Such records must be available for review by the Government in accordance with FAR 52.214-26. In the event of an audit, AMS auditors will examine as many codes as is necessary to verify compliance.
6. Self-certifications by contractors and subcontractors will not be accepted.
7. Failure to observe this requirement may lead to suspension or debarment, contract termination, and penalties at Title 18, Section 1001 of the U.S. Code concerning falsification of information.

D. Kosher Products

Occasionally, USDA solicits offers to sell KOSHER products. Such products are identified on the solicitation with the letter “K” incorporated into the WBSCM material descriptions. Vendors must comply with the applicable dietary (KOSHER) laws as established by the “613 COUNCIL OF KASHRUTH” in the production of these commodity products. Vendors must not bid on these purchase units unless they can be properly certified.

Vendors receiving purchase order items identified as “KOSHER” must contact the Board of Jewish Education of Greater New York (BJENY) at telephone 646-472-5365 prior to manufacturing the commodity product to arrange for certification of compliance with the applicable dietary (kosher) laws.

E. Packing Season

All frozen fruit juices must be from the current packing season/crop year, unless otherwise specified in the applicable Solicitation/IFB.

F. Shipment

Shipment of frozen fruit juice must be at 0 degrees (plus or minus 10 degrees).

G. Grade of Frozen Fruit Juices

All frozen fruit juices must be U.S. Grade A (as defined in the U. S. Standards) unless otherwise specified in Section II, Individual Commodity Specifications, herein or the applicable Solicitation/IFB.

H. Fill of Container

1. Contractor must meet either the drained weight or the fill weight for the product as specified in the applicable U.S. Standards unless otherwise indicated herein. Each container must be as full as practicable. The product must occupy at least 90 percent of the container.
2. The average fill of container must meet the fill of container as printed on the label and the Individual Commodity Specification, Section II.

I. **Packing, Labels and Packaging**

Commercial Labels and Packaging

1. Primary Containers

- a. Vendors have the option to use commercial labeling and packaging which meets all applicable FDA requirements and contains a code which allows traceability of the product in the event of a recall or they may use USDA packaging and labeling as specified in the Master Solicitation.
- b. The processors' own commercially acceptable "brand" labels may be used on all invitations unless prohibited by the Invitation. Distributor's "brand" labels are not acceptable.
- c. All products must be packed in new, commercially acceptable primary containers (cans/cartons). Frozen fruit juices shall be packed only in the container size and type specified in the applicable Invitation. The containers must be suitably code marked so that the product can be identified with related inspection certificates.

2. Secondary Containers (tray and case)

Mixing and matching of USDA and commercial labeling methods will not be acceptable.

Two or more different commercial labels will not be acceptable within a shipping unit (truck load).

USDA Label and Packaging

1. Primary Containers

- **Frozen Concentrated Orange Juice**

The product shall be packed in containers of 12/32 fluid ounce size, commercially acceptable for the product, and have a minimum average net content of 32 fluid ounces, provided, no individual sample unit has a net content less than 31.5 fluid ounces.

The containers must be suitably code-marked so that the product can be identified with related inspection certificates.

- **Orange Juice from Concentrate, Pasteurized Orange Juice, Apple Juice from Concentrate, and Pasteurized Apple Juice**

All in individual serving sizes, must be packed in "milk carton type" primary containers of food grade quality in accordance with the federal Food and Drug Administration's Food Additives Regulations for commercial retail use containers, and have a minimum average net content.

See Exhibits 1 and 1-1 for can/carton labels for concentrated orange juice and juices in individual servings.

2. Secondary Container (case) Markings

The primary containers shall be further enclosed within new, corrugated fiberboard cartons (cases) acceptable by common or other carriers for safe transportation to destinations. Flaps, gaps and other openings may not exceed one inch and must be fully glued or sealed with tape. If tape is used in lieu of glue, it must be clear and of commercially acceptable width and strength. The tape must extend at least two inches down the sides or ends.

Cases must be marked in such a manner that they contain all of the symbols, statements and information contained in Exhibit 2, "Required Markings for Shipping Containers".

Cases may be marked by printing or stenciling or by preprinted, self-adhesive stickers. Self-adhesive stickers must be affixed to the case in such a manner that they cannot be removed intact.

The case markings must be clearly marked, easily read, and substantially the same as specified in Exhibit 3.

Exhibit 4 shows an alternative placard that may be applied to a new, corrugated fiberboard case acceptable by common or other carriers for safe transportation to destinations. This placard must be affixed to the case in such a manner that it cannot be removed intact.

Cases must have the recycling statement shown in Exhibit 6, "Please Recycle" Symbol and Statement or Exhibit 7, "Corrugated Recycles" Symbol and Statement.

Shipping cases for juices in individual serving sizes shall contain the statement "KEEP FROZEN AT 0°F OR LOWER UNTIL THAWED FOR USE", printed, stamped, or labeled on each case in nominal size lettering. Identity coding must be on the shipping cases which shall be commercial grade with commercial markings as required by the Federal Food and Drug Administration.

J. Universal Product Codes (UPC)

Contractor UPC's are acceptable for primary containers of product shipped utilizing commercial labels and/or secondary fiberboard cases enclosing commercially labeled product.

Primary label and shipping container Universal Product Codes for USDA products are listed in Exhibit 5. The Contractor's UPC is not acceptable. The primary container UPC must be positioned on the can label as shown in Exhibit 1. The shipping container UPC must be marked on the case as shown in Exhibit 2.

UPC's are **not** required for commercial labeling with tray pack shipping containers.

K. Palletization Requirements

1. Pallets

Products must be on 48 X 40 inch, non-reversible, flush stringer, and partial four-way entry. New pallets must be good quality wood. Used pallets must be No.1 hardwood or its equivalent in new softwood. **Broken or damaged pallets are unacceptable.** If pallet exchange is desired, the contractor shall arrange for pallet exchange with consignees. USDA is in no way responsible for arrangement of pallet exchange.

2. Unitization

Each delivery unit of frozen fruit juice must be unitized. Shipping cases must be stacked and secured from top to bottom, so that each container and layer of containers becomes an integral part of the pallet. Either stretch wrapping with plastic film or “lock ‘n pop” is acceptable. The palletized product must be loaded in the conveyance in such a way that will prevent shifting and damage to the containers of product.

L. Shipment and Delivery

1. Quantity Tolerance

Contractor will be allowed a tolerance on the final delivery of plus or minus 50 cases of **each product**, from **each shipping** point named in the purchase order.

II. Individual Commodity Specifications**A. Frozen Concentrated Orange Juice**

Grade – The Grade of frozen concentrated orange juice delivered under this Announcement shall meet the description and quality requirement of U.S. Grade A, unsweetened, frozen concentrated orange juice.

Exception: The Brix-Acid Ratio shall be not less than 14.0:1 and no greater than 19.5:1. The product shall be packed in containers of 12/32 fluid ounces.

B. Orange Juice from Concentrate in Individual Serving Sizes

1. Grade – U.S. Grade A.
2. Primary Container Size – 4-ounce individual serving cartons.
3. Count – 70 cartons per case.
4. Net Weight – 19 pounds per case.
5. Inspection – USDA in-plant inspection required.
6. Shelf Life – No more than 6 months if kept frozen, ten days after thawing.

C. Pasteurized Orange Juice in Individual Serving Sizes (Not From Concentrate)

1. Grade – U.S. Grade A.
2. Primary Container Size – 4-ounce individual serving cartons.

3. Count – 70 cartons per case.
4. Net Weight – 19 pounds per case.
5. Inspection – USDA in-plant inspection required.
6. Shelf Life – No more than 6 months if kept frozen, ten days after thawing.

D. Apple Juice from Concentrate in Individual Serving Sizes

1. Quality and Analytical Requirement – Must be equivalent to the analytical and quality requirements of U.S. Grade A Canned Apple Juice. The finished product shall be fortified to contain at least 34 milligrams of Vitamin C (ascorbic acid) per 100 milliliters of apple juice. (Label indications of Vitamin C fortification are required).
2. Primary Container Size – 4-ounce individual serving cartons.
3. Count – 70 cartons per case.
4. Net weight – 19 pounds per case.
5. Inspection – USDA in-plant inspection of final product required.
6. Shelf Life – No more than 6 months if kept frozen, 10 days after thawing.

E. Pasteurized Apple Juice in Individual Serving Sizes (Not from Concentrate)

1. Quality and Analytical Requirement – Must be equivalent to the analytical and quality requirements of U.S. Grade A Canned Apple Juice.
2. Primary Container Size – 4-ounce individual serving cartons.
3. Count – 70 cartons per case.
4. Net Weight – 19 pounds per case.
5. Inspection – USDA in-plant inspection of final product required.
6. Shelf Life – No more than 6 months if kept frozen, 10 days after thawing.

III. Inspection and Checkloading

A. Requirements

NOTE: USDA inspection shall be made during on-line production of the product.

Representatives of the AMS, Fruit and Vegetable Program, Specialty Crops Inspection (SCI) Division (USDA Inspector) must perform the inspection and checkloading. See section IX.A of the Master Solicitation. **The cost of inspection, samples taken for inspection, mailing of review samples submitted for evaluation, and any chemical analysis required for testing shall be for the account of the Contractor.**

Inspection of frozen fruit juice products must be performed not more than 60 days prior to shipment. Whether each lot offered meets the product and container requirements of

the contract must be determined on the basis of representative sample units. Representative sample units will be graded according to the Regulations Governing Inspection and Certification of Canned Fruits and Vegetables and Related Products (7 C.F.R. Part 52), and United States Standards for Condition of Food Containers (7 C.F.R. Part 42.140), effective on the date of the Invitation.

Temperature – All frozen foods shall be held, and stored at an air temperature of 0 degrees F, or lower. The internal product temperature of the frozen fruit juices shall be maintained at 0 degrees F, and at time of loading may not exceed 10 degrees F. Carrier temperature shall be determined after the product is loaded.

B. Certification

Subject to (See section IX.A of the Master Solicitation) the acceptability of the quality, weight, packaging, and checkloading of the product must be evidenced by certificates issued by the USDA Inspector.

No product shall be shipped unless the USDA Inspector informs the Contractor that a designated lot is acceptable. Notice by the USDA Inspector that a designated lot scheduled for shipment does not meet requirements of the contract shall constitute rejection of such lot.

Contractors may request in writing that the USDA accept delivery of a lot shipped without certification. The USDA, at its option, may accept delivery, provided that the lot passes inspection by a USDA Inspector at the point of destination. If the USDA exercises this option, the contractor will be assessed a 10 percent liquidated damages and cost of inspection.

C. Procedures

The Contractor must give the USDA Inspector at least 7 days advance notice when scheduling inspection service. Prior to sampling, the Contractor must furnish the USDA Inspector with a list of codes and the approximate number of cases per code.

Contractors are encouraged to submit requests for inspection in writing with verifiable receipt notice, such as fax log, to alleviate possible miscommunication.

D. Laboratory Tests

The Contractor must allow 14 days after product sampling for laboratory tests (when required) to be completed and returned.

IV. Failure to Meet Specifications

Any lot which fails applicable specifications prescribed herein will be rejected as not acceptable for delivery. If any lot of frozen fruit juices fails to meet the product or packaging requirement, the Contractor may request in writing that USDA accept delivery of the lot. USDA may, at its option, accept delivery, provided that the purchase price is the contract price less a discount, to be determined by the Contracting Officer.

V. Exhibits

Exhibit 1

Labeling Requirements for Frozen Fruit Juice Products

The printing on the containers must be arranged substantially as indicated in the exhibit shown below. The wording is restricted to that shown in the exhibit. All words must be printed in sufficient size to show prominently on the container.

ALL PRINTING TO BE IN BLACK INK

FRONT PANEL	BACK PANEL
(PRODUCT NAME)	(PRODUCT NAME)
(Product style or pack if applicable)	(Product style or pack if applicable)
	(Packing media if applicable)
	INGREDIENTS 1/
	KEEP FROZEN AT 0°F OR LOWER
	PACKED BY _____ 3/
	4/
NET WEIGHT _____ 2/ 5/	:

- 1/ Ingredients must be listed in descending order of predominance.
- 2/ Insert the net weight (net weight must be expressed in metric as well as avoirdupois units).
- 3/ Insert month and year packed (the first month of packing season is acceptable).
- 4/ Insert name of Packer and Packer's Address - City, State, and Zip Code. This information can be placed on the end panels or the side panels.
- 5/ Insert Universal Product Code (see Exhibit "4").

Exhibit 1-1

Labeling Requirements for Frozen Fruit Juice Products
(Individual Serving Sizes)

The printing on the containers must be arranged substantially as indicated in the exhibit shown below. The wording is restricted to that shown in the exhibit. All words must be printed in sufficient size to show prominently on the container.

ALL PRINTING TO BE IN BLACK INK

FRONT PANEL	BACK PANEL
(PRODUCT NAME)	(PRODUCT NAME)
(Product style or pack if applicable)	(Product style or pack if applicable)
	(Packing media if applicable)
	INGREDIENTS 1/
	KEEP FROZEN AT 0°F OR LOWER 3/
	PACKED BY _____ 4/
NET WEIGHT _____ 2/	5/
6/	

- 1/ Ingredients must be listed in descending order of predominance.
- 2/ Insert the net weight (net weight must be expressed in metric as well as avoirdupois units).
- 3/ Insert the statement “CHILLED”, “KEEP CHILLED” or “KEEP FROZEN”.
- 4/ Insert month and year packed (the first month of packing season is acceptable).
- 5/ Insert name of Packer and Packer's Address - City, State, and Zip Code. This information can be placed on the end panels or the side panels.
- 6/ Insert Universal Product Code (see Exhibit “4”).

Exhibit 2
Required Markings for Non-Commercial Shipping Containers
ALL PRINTING TO BE IN BLACK INK

BOTH SIDE PANELS	BOTH END PANELS
PRODUCT NAME 1/ 2/	PRODUCT NAME PURCHASE ORDER NO. 3/
USDA SYMBOL 5/	4/
KEEP FROZEN AT 0° OR LOWER	

Product name must be printed or stenciled on a separate line in letters at least three-fourths inch high, and all other information must be in letters less than three-fourths inch but at least three-eighths inch high. The USDA Food Symbol must be printed, stamped, or labeled and be of sufficient size to stand out prominently. Case markings must be limited to case codes and those contained in this Exhibit.

- 1/ Insert any additional product style, pack, packing media, or further definition as applicable
- 2/ Insert the size and number of packages per case, i.e. 12/32 ounce can, 6/5 pound bags, 12/46 ounce can, 1/25 pound bag.
- 3/ Insert the last five digits of purchase order number.
- 4/ Insert name of Packer and Packer's Address - City, State, and Zip Code. This information can be placed on the end panels or the side panels.
- 5/ Insert Universal Product Code (see Exhibit "5").

Recycle symbols and statements can be placed on bottom panels (Exhibit "6" and "7")

Exhibit 3
Alternative Label for Shipping Containers
(Includes all Required Information)



Product Name

Style

Packing Media

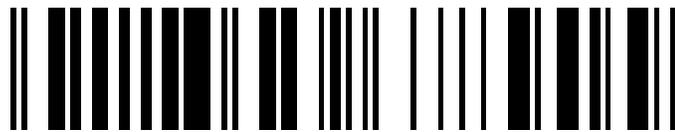
Size/Number per case

Purchase Order Number xxxxx

Packed by: ABC Growers

Any Town, CA 99999

KEEP FROZEN AT 0° OR LOWER



1234567891012345678910

Exhibit 4
Sample Alternative Label for Shipping Containers



FROZEN
CONCENTRATED
ORANGE JUICE

12/32 oz. cans

Purchase Order Number xxxxx

Packed by: ABC Growers

Any Town, CA 99999

KEEP FROZEN AT 0° OR LOWER



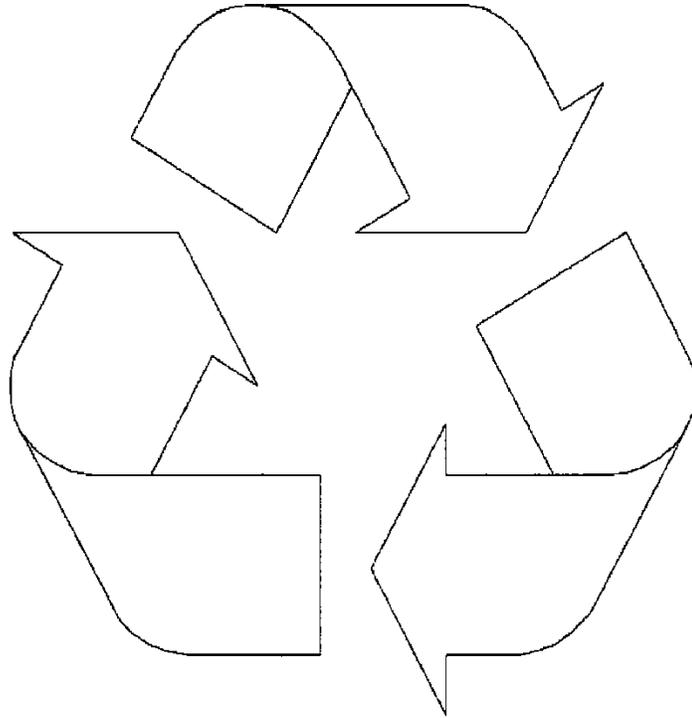
1 11 07 15001 01434 1

Exhibit 5
Universal Product Codes

<u>Fruit Juice</u>	WBSCM <u>Materials</u>	<u>Primary Container</u>	<u>Secondary Container</u>
Frozen Conc. Orange Juice – 12/32 oz	100276	7 15001 00276 9	1 07 15001 00276 2
Pasteurized Single Strength – 70/4 oz	100277	7 15001 00277 2	1 07 15001 00277 5
K Orange Juice Conc. FRZ Can – 12/32 oz	110057	7 15001 10057 7	1 07 15001 10057 0

Exhibit 6

“Please Recycle” Symbol and Statement



**PLEASE
RECYCLE**

Exhibit 7

“Corrugated Recycles” Symbol and Statement



**Corrugated
Recycles**

Exhibit 8

USDA Symbol

