FEDERAL PURCHASE
PROGRAM SPECIFICATION
(FPPS) FOR REFRIGERATED,
FULLY COOKED PEELED
HARD COOKED EGGS

Effective: March 2021

100 ITEM DESCRIPTION

110 Hard Cooked Egg (xxxxx) – Refrigerated, peeled hard cooked eggs produced from U.S. Grade A, or better, Medium shell eggs. Eggs shall be packed (24) six count eggs packaged in modified atmospheric pillow packs or pouches. A purchase unit shall consist of 1709 cases totaling 26,500 pounds (12,020 kg) net weight.

200 APPLICABLE DOCUMENTS

210 The following documents are incorporated as part of this USDA, AMS, SSD Division FPPS for Refrigerated, Fully Cooked Peeled Hard Cooked Eggs – March 2021:

210.1 AMS Master Solicitation for Commodity Procurements – Domestic Programs (MSCP-D).

210.2 Regulations Governing the Voluntary Grading of Shell Eggs (7 CFR § 56).

210.3 Regulations Governing the Production, Storage, and Transportation of Shell Eggs (21 CFR § 118).

210.3 Regulations Governing the Current Good Manufacturing Practices in Manufacturing, Packing, or Holding Human Food (21 CFR § 117) and Regulations Governing Egg and Egg Products (21 CFR § 160).

300 CHECKLIST OF REQUIREMENTS

310 Domestic Products – Refer to the current AMS MSCP-D.

320 Food Defense – Refer to the current AMS MSCP-D.

330 Food and Drug Administration (FDA) Requirements – The commodity shall be produced in a facility that complies with FDA regulations governing current

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340 Contract Compliance and Certification Requirements – Refer to the Supplement for Egg Products. The contractor shall request the use of either Option A – AMS QAD Grading-based Monitoring and Certification service, or Option B – QAD Audit-based Verification service, for assessing contract compliance of the finished product.

400 PROCESSING

410 Processing Sequence Requirement – The peeled, hard cooked eggs shall be processed, cooked, and packaged in a continuous process that complies with the time and temperature requirements of this FPPS.

411 Date Processed – The commodity shall be processed and packaged no more than 14 days prior to delivery. At time of delivery the product shall have a minimum of 30 days in shelf life.

413 Lot Definition – A lot is the amount of packaged commodity produced during a day’s production.

420 Shell Eggs

421 Shell eggs used shall be certified U.S. Consumer Grade A or better, Medium eggs according to 7 CFR § 56.1.

422 For U.S. Consumer Grades A or better, the U.S. Grade shall be stated on the USDA Shell Egg Grading Certificate, which accompanies the shell eggs.

423 Shell eggs shall comply with FDA regulations for ambient temperature during storage and transport.

424 Shell eggs shall be maintained at a maximum 45 °F ambient temperature prior to tempering.

430 Processing Hard Cooked Eggs

431 Tempering at room temperature is allowed prior to cooking and shall not exceed 36 hours.

432 Water quality – The water temperature and pH shall be maintained in a manner that inhibits microbial growth.

440 Cooking, Peeling and Appearance

441 Cooking – Eggs shall be cooked to an internal temperature of 165 °F or higher to ensure pathogens are eliminated. Eggs shall be fully cooked until firm throughout and meet all quality requirements of this specification.
Peeling – Eggs shall be peeled in a manner that ensures the complete removal of the shell and shell membranes from adhering to the egg albumen and does not cause damage to the outer albumen layer.

Brine – Cooked eggs may be exposed to antimicrobial brine at a maximum 45°F ambient temperature for up to 48 hours prior to packaging.

Appearance – Cooked eggs shall be white with no off coloring. The egg shall be free of internal defects such as large spots (blood, meat spots). The yolk shall be a consistent shade of yellow throughout with no grey or greenish coloring on the yolk surface.

Flavor and Texture – Cooked eggs shall have a natural egg flavor profile and shall not exhibit off flavors or odors. The eggs shall not exhibit a rubbery (overcooked) or gelatinous (undercooked) mouthfeel.

Ingredients – Egg shall be the primary ingredient as evidenced in the ingredient statement. Other ingredients shall be used to produce a finished product with natural egg flavor profile suitable for institutional food systems and prohibit microbial growth during packaging and storage.

Organoleptic requirements – Hard cooked eggs shall be free of grey, greenish or brown color, off flavoring, rancidity; free of fruity, sulfide-like, cardboardy, tallowy, oily, metallic, chlorine-like, or other foreign and off-odors; free of foreign materials (e.g., glass, paper, rubber, plastic, wood, metal); shall show no evidence of mishandling or deterioration.

500 MICROBIAL

The contractor shall have a documented plan to comply with FDA guidance and requirements for Salmonella and Listeria monocytogenes in egg products and ready-to-eat foods (21 CFR § 117). Product testing positive for any pathogen shall not be allowed as rework or for delivery to USDA.

600 HANDLING INSTRUCTIONS

Handling and storage instructions for the end-user shall be provided on the primary package container or label.

700 PACKAGING AND PACKING

The contractor shall assure that all packaging, packing, labeling, closure, marking and palletization shall comply with the National Motor Freight Classification, or the Uniform Freight Classification, as applicable, and shall be labeled to include all information required by FDA regulations (21 CFR 101).

Packing – Product shall be packed in six count packages, with 24 packages
per container.

730 Packaging – All packaging and packing materials shall be clean and in new condition, shall not impart objectionable odors or flavors to their contents, shall be approved by FDA for use in contact with food products, and shall be tamper-evident. Tamper-evident is defined as packaging and packing materials with one or more indicators or barriers to entry, which, if breached or missing, can reasonably be expected to provide visible evidence that tampering has occurred.

731 Pillow Packs and Pouches – Modified atmospheric packaging and closures shall protect the commodity from contamination or quality deterioration during the conditions of use and be suitable for ready-to-eat foods. Pillow packs and pouches shall be made with polyethylene film with a wall thickness of not less than 2 millimeters (0.002 inch).

740 Shipping Containers – Shipping containers shall:

740.1 Be good commercial fiberboard containers that are acceptable by common or other carrier for safe transport to point of destination;

740.2 Be of such size to pack the commodity without slack filling or bulging;

740.3 Withstand the stresses of handling, shipping, stacking, and storage as demonstrated by the Edge Crush Test, and

740.4 Be closed by commercially accepted methods and materials. Steel or wire straps shall not be used for final closure. Staples shall not be used for final closure of shipping containers.

740 Labeling

741 Commercial Labeling Requirements

742 Each individual package and shipping container shall be commercially labeled in accordance with FDA requirements. Individual packages shall comply with retail consumer labeling requirements and shall meet Section 4A52.211-4 of the MSCP-D.

743 Commercial Labels shall be the processor’s own commercial label, and shall contain the following information:

742.1 Traceability – The processor shall establish a product identification and record system that clearly links product by is traced back to establishment number, production lot, and date. When the company uses the same commercial label for the product certified as compliant with this FPPS and commercial product, the identification system shall differentiate between USDA purchased and non-USDA products.
742.2 Nutrition Facts, Ingredients and Allergen statements on individual packages – The Nutrient Facts shall be provided. The ingredient statement, even for single ingredient foods, shall be included as a statement separate from the name of the product; e.g. Ingredients: ____________. The allergen statement shall be in accordance with the Food Allergen Labeling and consumer Protection Act (FALCPA) which defines milk, egg, fish, Crustacean shellfish, tree nuts, wheat, peanuts, and soybeans, as well as any food ingredient that contains protein derived from one of these foods, with the exception of highly refined oils, as “major food allergens.”; e.g. Contains: ___________.

800 FINAL EXAMINATION OF PACKAGED AND PACKED COMMODITY

810 Packaging Defects – Contractor shall ensure that packages in a delivery unit are examined for defects that affect protection, expose product, permit quality deterioration during storage, such as tears, holes, or improperly sealed or closed packages prior to shipment.

811 Packing Defects – Shipping containers in a delivery unit shall be examined for condition, labeling, and marking defects according to the United States Standards for Condition of Food Containers (7 CFR § 42).

820 A purchase unit or delivery unit shall consist of 1709 cases totaling 26,500 pounds (12,020 kg) net, or multiples thereof.

821 Contractor shall maintain records to demonstrate that each delivery unit has been examined for compliance with the net weight requirements at time of loading.

830 Loading and Shipping Refrigerated Commodity

831 Visual Inspection – Cooked commodity showing any evidence of deterioration or damage shall be rejected for use under this FPPS.

832 Internal Product Temperature

832.1 The refrigerated cooked commodity shall be 34°F (1.1 °C) to 40 °F (4.4 °C) at the time of loading. Delivery units with internal product temperatures exceeding 40 °F (4.4 °C) shall be rejected for use under this FPPS.

840 Inspection and Checkloading

841 Based on inspection option selected, the contractor shall utilize either USDA Grader or Contractor Checkloading at time of shipping to certify. The Contractor shall notify USDA AMS QAD staff prior to production. The checkloading requirements are as follows:
USDA Grader Checkloading Requirements – Inspection for contract compliance shall be made by a USDA representative at site of processing, both during and after processing and packaging. Inspection records shall be complete and made available to USDA, as requested, to assure contract compliance.

842.1 Procedures – The inspection and checkloading shall be performed by the AMS Grader in accordance with FDA regulations and this FPPS. Procedures to be followed and a schedule of fees for these services may be obtained by contacting the nearest QAD field office or the Director of QAD, LP Program, AMS, USDA, 1400 Independence Avenue, Room 3953-S, STOP 0258, Washington, DC 20250-0258, telephone (202) 690-3147.

842.2 The quality, quantity, weight, packaging, packing, and checkloading of the commodity shall be evidenced by certificates issued by the AMS Grader. The contractor shall not ship the commodity unless informed by the AMS Grader that the designated commodity to be shipped meets the requirements of the AMS MSCP-D, Solicitation, and this FPPS.

843 Contractor Checkloading Requirements – Inspection for final contract compliance shall be made by the Contractor, in accordance with FDA regulations and this FPPS. The quality, quantity, weight, packaging and packing of the commodity shall be evidenced by a Certificate of Conformance that verifies the designated commodity to be shipped meets all the requirements as stated in this FPPS, MSCP-D and Solicitation.

843.1 Procedures – The contractor shall perform checkloading examinations at the time of shipment – as described in this FPPS starting at the section labeled Loading and Shipping Refrigerated Commodity and sections thereafter – and shall issue a corresponding Certificate of Conformance. The Contractor is required to provide an acceptance document to accompany each shipment. Additional details are found in the AMS MSCP-D, Section 4A52.247-3 for Bill of Lading Notations.

843.2 Contractors inspection records and checkloading documentation shall be complete and maintained, including the Certificate of Conformance, and made available to USDA, as requested, to assure Contractor Checkloading compliance. Contractor checkloading activity is subject to review by USDA at the cost of the contractor.

900 PALLETIZED UNIT LOADS

910 All products shall be stacked on new or well-maintained pallets and palletized with shrink wrap plastic. Pallet loads shall be stacked in a manner that minimizes the overhang of the shipping containers over the edges of the pallets and that exposes each shipping container’s principal display panel to facilitate certification examinations.
Size and Style of Container – Only one size and style of shipping container shall be used in any one delivery unit.

**SHIPMENT AND DELIVERY**

1010 Shipment and Delivery, including Loading and Sealing, Delivery Notifications and Split Deliveries – Refer to the current AMS MSCP-D.

1020 Transport unit containers shall be of sound construction and clean. They shall have a refrigeration unit capable of maintaining temperature of the product through to delivery.

1030 Suppliers of commodities, products and/or services—under the supervision of a USDA-AMS certification agent, when applicable—shall be responsible for placing a seal(s) on all cargo doors of each transportation conveyance upon completion of loading, partial unloading, inspection, or servicing. Seals must meet the American Society for Testing and Materials (ASTM) Standard, (F-1157-04, and/or the International Organization for Standards (ISO) 17712-2013. Seals shall be 1/8-inch diameter cable, high security bolt, barrier-type, or equivalent device which can only be removed by bolt cutter type tools.

**DESTINATION EXAMINATION**

1110 Commodity Requirements – Before acceptance by recipient, the refrigerated commodity may be examined on a spot-check basis by USDA AMS representative for temperature, condition, identity, count, or any other contract provision. If a recipient complaint is received, re-inspection may be performed by USDA AMS at the expense of contractor.

1120 Temperature – Refrigerated commodity shall have an average internal temperature not to exceed 40 °F (4.4 °C) when shipped, during transit, and when received at the destination plant. When any sample exceeds 40 °F (4.4 °C) the purchase unit shall be rejected for use under this FPPS.

**PRODUCT ASSURANCE AND COMPLAINT RESOLUTION**

1210 Product Assurance – The Contractor shall guarantee that the product complies with all FPPS requirements and provisions set forth in the AMS MSCP-D.

1211 Waiver Requests – Contractor shall submit all waiver requests directly to the Commodity Procurement Program (CPP) Contracting Officer for review and determination. A Full list of CPP contacts can be found at:

https://www.ams.usda.gov/sites/default/files/media/AMSCommodityProcurementStaffContactList.pdf

1220 Complaint Resolution – Customer complaint resolution procedures shall be the responsibility of the Contractor. These procedures shall include: a point of...
contact, investigation steps, intent to cooperate with AMS, and product replacement or monetary compensation. The procedures shall be used to resolve product complaints from recipient agencies or AMS.
100 Overview

This document provides additional program certification requirements for the following egg products purchased by the Department of Agriculture (USDA), including the applicable Federal Purchase Program Specification (FPPS) and all Exhibits:

- Hard Boiled

110 Actual purchases shall be described in the AMS Master Solicitation for Commodity Procurements – Domestic Programs (MSCP-D) and Solicitations.

120 For contract compliance and certification of product, the contractor may request the use of either Option A – AMS QAD Grading-based Monitoring and Certification service, or Option B – QAD Audit-based Verification service, for assessing contract compliance of the finished product. AMS shall seek to honor the request of the contractor but reserves the right to make a final determination.

121 When an option is implemented, the contractor shall remain under that service until completion of the contract, at which time it may request a change in oversight option for any subsequent contract.

130 The cost of all grading, auditing and certification services performed by AMS agents shall be at the expense of the contractor. This includes, but is not limited to, audits, examinations, supervision, official documentation, and related services.

140 Questions concerning charges and the availability of AMS agents can be directed to a USDA/AMS, LP Program’s Quality Assessment Division (QAD) field office or to USDA, AMS, LP, QAD Business Operations Branch, 10809 Executive Center Drive, Suite 318, Little Rock, AR 72211-6022; phone: 501-312-2962 or email: QAD.BusinessOps@usda.gov

200 AMS Contract Compliance Option A: Grading-Based Monitoring and Certification
Monitoring of production, processing and product certification shall be conducted through the direct continuous supervision of a AMS Grader in accordance with the requirements listed in the FPPS and AMS/LP/QAD Policies and Procedures for certifying USDA commodity foods. A technical proposal is not required to be submitted when the contractor is operating under Option A. All raw materials will be subjected to the certification process prior to being utilized in manufacture finished products.

QAD shall contact the contractor to set-up a pre-production plant survey, including review of food defense and production capability, and discuss production and certification requirements.

The AMS Grader shall be present at all times during production and processing of the commodity. The AMS Grader may select samples for laboratory analyses or inspect the commodity at any point in transit and after delivery to point of destination. The contractor or AMS Grader shall perform checkloading examinations as described in the FPPS at the time of shipment and issue an acceptance document to accompany each shipment.

The AMS Grader shall be responsible for certification of compliance with the requirements of the FPPS including, but not limited to, raw material, formulation, cooking, refrigeration or freezing, packaging and packing, metal detection, labeling and marking and net weight.

Verification of production and processing shall be conducted through routine audits performed by QAD according to the contractor’s and/or subcontractor’s approved technical proposal (see section 360 – Technical Proposal Requirements) and the applicable FPPS. All raw material shall be under applicable USDA oversight and/or certification as outlined in the FPPS. This includes, but is not limited to, regulatory requirements of USDA FSIS, FDA and AMS regulations.

Interested contractors may submit sample(s) and technical proposal (outlined in Sections 350 and 360) at any time during the pre-bid period. Contractors should...
allow 10 working days, from USDA’s receipt of the product sample(s) and technical proposal for notification of evaluation results. A contractor is deemed eligible upon notification of approval of the sample(s) and technical proposal by SSD. Submission of sample(s) and technical proposal is not binding on USDA.

311.2 Once a contractor is notified by SSD that the technical proposal meets the applicable criteria, QAD shall contact the contractor to set up a pre-award onsite capability assessment audit.

320 Pre-Award Onsite Capability Assessment Audit

321 QAD shall conduct an onsite capability assessment that shall consist of reviewing:

321.1 Food Defense Requirements – QAD shall conduct a food defense audit that shall include, but is not limited to, a thorough evaluation of the contractor’s and or subcontractor’s food defense plan. Documentation shall support the contractor’s and/or subcontractor’s food defense plan and meet requirements of Section 4A52.246-2 of the MSCP-D for Commodity Procurements.

321.2 Production of the commodity that complies with the applicable FPPS and approved technical proposal or production plan,

321.3 records related to purchasing, receiving, production, quality control, inventory, shipping, and,

321.4 interviews with management and production personnel.

322 Upon completion, QAD shall provide SSD either with a verbal or email notification of the audit findings. SSD shall notify the vendor of their status based on the audit findings as well as QAD and the Commodity Procurement Program (CPP). The official final audit report shall be sent to the contractor once released from QAD.

323 After bid opening, CPP shall contact QAD and SSD to determine that contractors have met all requirements to deem the bids responsive or non-responsive.

324 For bids that are determined to be non-responsive bids, CPP shall notify the contractor(s) directly.

330 Post-Award Assessment Audit

331 Contractors who receive contracts shall have their required documentation readily available for review upon request by SSD, QAD, or other AMS agents. Records may be maintained in hard copy or electronically. However, records maintained electronically shall be made available immediately upon request.

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QAD shall conduct an onsite audit of the contractor’s and/or subcontractor’s facility(s) and processes when production commences for the first contract awarded. Additional audits, and their frequency, shall be conducted as determined by QAD, but not less than once per month for contractors or subcontractors with continuous or multiple contracts, or once per contract for intermittent contractors. At the discretion of QAD, more frequent audits may be conducted when audit deficiencies are detected.

Post-Award Actions

Any deviation from contractual requirements shall be immediately reported by the contractor to the Contracting Officer and SSD. The Contracting Officer or SSD shall notify the contractor regarding eligibility to continue to participate as a contractor.

Contractor shall assure that the delivered product complies with the provisions of the FPPS, the applicable assessment by AMS, and the contractor’s technical proposal approved by SSD.

In the instance that any non-conformance is cited by the AMS auditor, or when a complaint is received by commodity recipient agencies, the contractor shall submit a cause and effect analysis and corrective actions to address the non-conformance or complaint.

Product Sample

Potential contractors shall submit samples that are produced in accordance with their submitted technical proposal.

Contractor shall submit one 5-pound sample (or two samples if a sample unit is less than 5-pounds) along with a legible product label which illustrates the ingredient statement, Nutrition Facts, safe handling instructions, and allergen declaration (if applicable). All samples shall arrive in the frozen (0°F or lower) or refrigerated (34°F to 40°F) state, as outlined in the FPPS.

Technical Proposal Requirements

The contractor shall submit a Technical Proposal that meets the following Requirements:

Include a detailed description of the egg products offered and each of the production steps that are taken to meet or exceed the minimum product requirements set forth in the FPPS. (Plan/Do)

Describe all the quality assurance methods used to verify conformance to all requirements. This shall include the monitoring and measurements taken during the process to verify conformance with each requirement. All measurement results shall be recorded and made available to AMS. (Check)
361.3 Identify all corrective actions to be taken if deviations from contractual and specification requirements occur during production, and all preventative actions to be taken to preclude a reoccurrence. (Act)

361.4 The technical proposal shall follow the format as shown in Exhibit A. Technical proposals should be brief and concise.

361.5 The technical proposal shall be preceded by the following, as required by the template:

361.5.1 Table of Contents listing the major areas as they appear in the technical proposal; and

361.5.2 List of attachments, forms provided with the technical proposal, if appropriate with the applicable document name and reference number.

362 SSD shall review each technical proposal to determine if the proposal is adequate and shall notify the contractor of the status of their technical proposal and their eligibility to bid.

363 Instructions for Submission of Technical Proposal

363.1 The following procedures establish the acceptable minimum requirements for the format and content of the technical proposal:

363.1.1 The Government has provided a technical proposal format which is to be used in preparing the technical proposal (see Exhibit A). The contractor shall submit the technical proposal as an email file attachment to AMS (TechnicalApprovals@usda.gov, Anjeanette.Johnson@usda.gov, Jeffrey.Hendricks@usda.gov and Jed.Warnock@usda.gov).

363.1.2 The technical proposal shall be saved in a non-portable document file format (not PDF; e.g., Microsoft Word). The technical proposal shall be submitted in its entirety. If the file size of the technical proposal is too large to send in a single email, it may be divided and sent in multiple emails (i.e., Part 1, Part 2, Part 3, etc.). The collection of attachments and appendices shall be submitted as a separate document as well.

363.1.3 The technical proposal shall be submitted by an authorized agent of the company.

363.1.4 While it is not the desire of the Government to penalize an offeror for non-compliance with formatting instructions, technical evaluators may have difficulty evaluating the technical proposal to the fullest extent possible if the proposal is not presented in the proper format. Technical evaluators shall not be required to search other subsections or sections of the offeror’s technical proposal for information requested in the evaluation.
364 Technical Proposal Revisions

364.1 Changes to a contractor’s technical proposal may be submitted at any time or at the request of SSD. All technical proposal revisions shall meet the following criteria:

364.2 Any changes to a technical proposal made by the contractor after its initial submittal shall be accomplished by submitting an entire technical proposal. A cover letter shall be submitted with the changes identified and an explanation of the need for the change. The contractor shall include the revision date and the appropriate page number(s).

364.3 Changes to original technical proposal shall be highlighted and deletions in strikeout
EXHIBIT A
Technical Proposal Format

Cover Page:

Company Name
Company Address
Contact Person, including title, phone number, including emergency contact information, e-mail address (must be authorized to represent the company).

Technical Proposal for: [FPPS]

Table of Contents (all pages and attachments shall be numbered and identified – all attachments shall be identified and referenced in the Technical Proposal).

The technical proposal should document a quality control program that includes procedures, records, forms, pictures, etc., which demonstrates conformance with the following checklist of requirements for all Sections and Subsections therein:

100 ITEM DESCRIPTION
200 APPLICABLE DOCUMENTS
300 CHECKLIST OF REQUIREMENTS
400 PROCESSING
500 MICROBIAL
600 HANDLING INSTRUCTIONS
700 PACKAGING AND PACKING
800 FINAL EXAMINATION OF PACKAGED AND PACKED COMMODITY
900 PALLETIZED UNIT LOADS
1000 SHIPMENT AND DELIVERY
1100 DESTINATION EXAMINATION
1200 PRODUCT ASSUARANCE AND COMPLAINT RESOLUTION

Attachments or Appendixes - Please attach all referenced documents with the applicable document name and reference number.

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