

# **Commodity Specification**

## **Shelled Nuts**

**June 2012**



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## **I. General**

### **A. U.S. Standards**

Shelled nuts (product/commodity) produced under this Commodity Specification must meet the requirements specified in the applicable United States Standards for Grades of shelled nuts (U.S. Standards) or Commercial Item Description (CID) effective on the date of the Solicitation/Invitation for Bid (IFB). The U.S. Standards and CIDs are published separately and are incorporated herein and made a part of this Commodity Specification..

### **B. Exceptions to U.S. Standards**

Additional exceptions may be specified in the applicable Solicitation/IFB. 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.E. 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 purchase orders awarded by USDA. Such segregation plan must be made available, within 10 days of purchase order 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 subcontractors 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 Program, Processed Products Division (USDA Inspector) when requesting inspection service.

USDA Inspectors 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, purchase order termination, and penalties at Title 18, Section 1001 of the U.S. Code concerning falsification of information.

#### **D. Kosher Products**

Occasionally, purchase units will be identified on Solicitation/IFBs as “Kosher Only” and will be so identified in the Solicitation/IFB. Offerors must not bid on these purchase units unless they are properly certified to produce Kosher products. Vendors must comply with the applicable dietary (KOSHER) laws as established by the “613 COUNCIL OF KASHRUTH.”

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 submitting a bid** to certify compliance with the applicable dietary (kosher) laws.

A rabbinic supervisor will be sent by the BJENY to certify compliance with the applicable dietary (KOSHER) laws.

#### **E. Packing Season**

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

#### **F. Grade of Shelled Nuts:**

All shelled nuts must be U.S. Commercial Grade (as defined in the U. S. Standards) unless otherwise specified in Section II, Individual Product Specifications, herein or the applicable Solicitation/IFB.

#### **G. Packing, Labels and Packaging**

##### **1. Primary Containers**

The nuts must be packed to an average net weight of 25 pounds for almonds (shelled whole/slivered) and 30 pounds for walnuts in bags made of polyethylene or similar material approved by the Food and Drug Administration for contact with nuts.

Roasted almonds shall be vacuum sealed inside corrugated, fiberboard cartons. The bags must be commercially acceptable and of such size to allow a complete overlapping closure. The bags must be packed in new, good quality, shipping cases of corrugated, fiberboard construction, rated at a minimum of 200 pounds per square inch bursting strength. The bags must be suitably code marked so that the product can be identified with related inspection certificates.

## 2. Secondary Container (case) Markings

The bags 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 1 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 1, "Required Markings for Shipping Containers". Cases may be marked by printing or stenciling or by preprinted, self-adhesive stickers. Exact arrangement and adherence to font size is not required. The case markings must be clearly marked, easily read, and substantially the same as specified in Exhibit 1.

**Exhibit 2** 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.

Roasted almonds shall be vacuum-sealed inside corrugated, fiberboard cartons.

The cases must be new, of good quality, and of domestic fiber 200 pound test cases, using a 33 pound kraft medium (42-33-42) or equivalent, with a 275 pound test collar /8 inch greater in height than the inside container depth (69-33-69) or 275 pound bursting strength (44 edge crust test) so as to ensure acceptance by common carrier for safe transportation. Closures should be adequate to ensure sanitary storage; or

Use a 300 pound burst strength cases with no collar or divider in lieu of above, providing the cases are constructed using 76/36/76 kraft paper.

The first three layers of cases on the pallets will be stacked in columns to avoid excessive bulging of the cases. All remaining layers will be alternate-interlock stacked.

Cases must have the recycling statement shown in Exhibit 5, "Please Recycle" Symbol and Statement or Exhibit 6 "Corrugated Recycles" Symbol and Statement.

**H. Tape Sealing or Shipping Containers**

Shipping cases for shelled nuts may be sealed by plastic tape in lieu of glue. The tape must be of sufficient width and strength that is used commercially to be acceptable by common carriers for safe transportation to destinations. The tape must extend down the sides or ends at least two inches. A tape of the see-through type must be used.

**I. Labels and Case Markings**

The containers, labels, cases, and case marking shall meet the United States Standards for Condition of Food Containers (7 CFR Part 42). Sanitation – All carriers used for shipment must be clean, free of infestation, and suitable for loading.

**J. Condition of Containers, Labels, and Case Markings**

The containers, labels, cases, and case marking shall meet the United States Standards for Condition of Food Containers (7 CFR Part 42) except that the Flap (b) section of the Table VI Rigid and Semirigid Containers – Defects – Flap (b) is waived provided that the flap gap does not exceed 1 inch and the flaps are fully glued.

**K. Additional Markings**

Cases must be marked in such a manner that they contain all of the symbols, statements and information contained in Exhibit 1, “Required Markings for Shipping Containers”.

Cases may be marked by printing or stenciling or by preprinted, self-adhesive stickers.

Exact arrangement and adherence to font size is not required. The case markings must be clearly marked, easily read, and substantially the same as specified in **Exhibit 1**.

**Exhibit 2** 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.

Cases must have the recycling statement shown in **Exhibit 5**, “Please Recycle” Symbol and Statement or **Exhibit 6**, “Corrugated Recycles” Symbol and Statement Corrugated fiberboard (cardboard) boxes Steel (Tin) cans.

**L. Universal Product Codes (UPC)**

Primary label and shipping container Universal Product Codes for USDA products are listed in **Exhibit 4**. The Contractor’s UPC is not acceptable. The primary container UPC must be positioned on the label. The shipping container UPC must be marked on the case as shown in **Exhibit 3**.

**M. 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 canned fruit 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.

**N. Sampling**

Samples to determine grade, size, and microbiological examination will be drawn by the Federal or Federal-State Inspection Service prior to roasting. Microbiological examination will be performed by the laboratory designated by the Federal or Federal-State Inspection Service.

**O. Shipment and Delivery**

## 1. Quantity Tolerance

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

**II. Individual Commodity Specifications**

Whole Natural Shelled Almonds: All natural almonds must be treated with propylene oxide (PPO) or “plasticized” (heating to soften the nut prior to slicing or slivering), in order to protect from salmonella contamination. Certification that one of the two methods has been performed must be provided to the USDA inspector. Copies of the forms may be obtained from the Almond Board of California.

**A. Shelled Almonds**

1. Grade: U.S. No. 1 Grade prior to roasting, which includes a chip and scratch allowance of 10 percent.



- a. Mission variety must meet all the requirements of U.S. No. 1 grade with the exception of an additional 10 percent chip and scratch allowance (20% total) prior to roasting.
2. Types:
  - a. Whole Natural and Whole Roasted
  - b. U.S. No. 1 pieces, as contained the United States Standards for Grades of Shelled Almonds of March 24, 1997
3. Group: Nonpareil, California, Neplus, or Mission
4. Size: 30 –32
5. Pack Size: 25 lb. and 12/2 lb.
6. Chemical:
  - a. Moisture: 3.5 percent maximum (Roasted)  
6.5 percent maximum (Natural)
  - b. Aflatoxin: 10 ppb or less
7. Roasted can be nitrogen flushed or vacuum packed.
8. Inspection must be done before roasting.

Samples for chemical and biological specifications will be drawn by the Federal or Federal-State Inspection Service and certified by the Dried Fruit Association of California (CDFA). (Moisture analysis may be certified by the Inspection Service). There are at least 12 USDA approved labs for aflatoxin testing in California you may want to consider one of those labs.

## **B. Shelled, Slivered Almonds**

2. Group: Nonpareil, California, or Neplus
3. Prior to being slivered, must be of U.S. Standard Sheller Run
4. Size: not less than 1/8” in thickness and will pass over an 8/64 inch round hole screen with not more than 5 percent fall through by weight.
5. The slivered almonds must be inspected and certified prior to being sliver for grade and after being slivered for size by the Federal or Federal – State Inspection Service. Samples for chemical and biological specifications will be drawn by the Federal or Federal – State Inspection Service and certified by DFA\*.
5. May be antioxidant coated
6. Chemical – before slicing
  - a. Moisture: 4.3 percent maximum
  - b. Aflatoxin: 10 ppb or less

7. Microbiological: after slicing
  - a. Total Plate Count: 10,000/gram or less
  - b. E. coli: Negative
8. The shelled nuts must be packed to an average net weight 25-pounds for almonds (shelled slivered)

A certificate issued by the Dried Fruit Association for conformance with the above chemical and microbiological specifications is required. (See invoices and payment)

### C. Shelled Walnuts

1. Grade: U.S. Commercial Grade or better
2. Variety: English or Persian (*Juglans regia*)
3. Size: small pieces
  - a. 24/1-pounds
  - b. 30-pound
4. Color: light amber or better
5. Naturally derived and may be antioxidant coated
6. Chemical
7. Moisture: 4.3 percent maximum
8. Microbiological
  - a. Total Plate Count: 50,000/gram maximum
  - b. E. coli: Negative
9. Must be packed to an average net weight of 30-pounds for walnuts in bags made of polyethylene or similar material approved by the Food and Drug Administration for contact with nuts.
10. Samples to determine grade and size will be drawn and examined by the Federal or Federal-State Inspection Service. Samples to determine biological and moisture specifications may be drawn and/or examined by the Federal or Federal-State Inspection Service.

### D. Roasted Pistachios

1. Pistachio Nuts in the Shell:
  - a. Grade: **Prior to roasting** the pistachios must be U.S. Extra No. 1 as defined in the U.S. Standards for Grades of Pistachio Nuts in the Shell.

- b. Size: Large – 21 to 25 average number of nuts per ounce.
2. Shelled Pistachio Nuts (Kernels):
  - a. Grade: **Prior to roasting** the pistachios must be U.S. Extra No.1 as defined in the U.S. Standards for Grades of Shelled Pistachio Nuts.
  - b. Size: Jumbo Whole Kernels, or Large Whole Kernels.
3. Moisture: average must not exceed 7 percent.
4. Seasoning: Shall contain no salt or other seasonings.
5. Microbiological: prior to roasting.
  - a. Aflatoxin: 15ppb or less.
  - b. Total Aerobic Plate Count: 10,000/gram or less.
  - c. E. coli: Negative.

### III. Inspection and Checkloading

#### A. Requirements

Representatives of the AMS, Fruit and Vegetable Programs, Fresh Products Division (USDA Inspector) must perform the inspection and checkloading. See section X 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.**

The shelled nuts and shelled, slivered almonds shall be inspected, certified, and **Positive Lot Identification** made by the Federal or Federal-State Inspection Service in accordance with the Agricultural Marketing Act of 1946. Subject to See section X of the Master Solicitation, the acceptable. Notice by the USDA Inspector that a designated lot scheduled for shipment does not meet requirements of the purchase order shall constitute rejection of such lot.

Inspection for grade will have been performed within 30 days prior to shipment for Shelled Nuts, with the exception of roasted almonds. Inspection for grade will have been performed within 60 days prior to shipment for roasted almonds.

Whether each lot offered meets the product and container requirements of the purchase order 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 Shelled Nuts and Vegetables and Related Products (7 C.F.R. part 51), and United States Standards for Condition of Food Containers (7 C.F.R. part 42.140), effective on the date of the Solicitation/IFB.

Slivered Almonds must be inspected and certified prior to being slivered for grade and after being slivered for size, by the Federal or Federal State Inspection Service and samples drawn for chemical and biological specification certifications by DFA.

## **B. Procedures**

The Contractor must give the USDA Inspector at least 72 hours advance notice when scheduling inspection service. Contractors are encouraged to submit requests for inspection in writing with verifiable receipt notice, such as fax log, to alleviate possible miscommunication.

## **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 shelled nuts 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 purchase order price less a discount, to be determined by the Contracting Officer.

**V. Exhibits****Exhibit 1****Required Markings for Non-Commercial Shipping Containers**

(All printing to be in black ink)

<u>BOTH SIDE PANELS</u>	<u>BOTH END PANELS</u>
PRODUCT NAME	PRODUCT NAME
1/	PURCHASE ORDER NO. 3/
2/	
USDA SYMBOL	4/
STORE IN COOL, DRY PLACE	
5/	

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; (i.e. Sliced, Cut, Chopped, etc.).
- 2/ Insert the size and number of packages per case, i.e. 24/1, 30 pound.
- 3/ Insert the last five digits of the 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").

**Exhibit 2**

**Alternative Label for Shipping Containers**  
(Includes all Required Information)



**Product Name**

**Style**

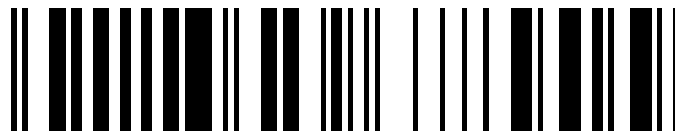
**Packing Media**

**Size/Number per case**

**Purchase Order # xxxxx**

**Packed by: ABC Growers**  
**Any Town, CA 99999**

**STORE IN A COOL DRY PLACE**



1234567891012345678910

**Exhibit 3**

**Sample Alternative Label for Shipping Containers**



**Shelled  
Walnuts**

**30-pounds  
Purchase Order Number 25111**

**Packed by: ABC Growers  
Any Town, CA 99999**

**STORE IN A COOL DRY PLACE**



1 11 07 15001 01434 1

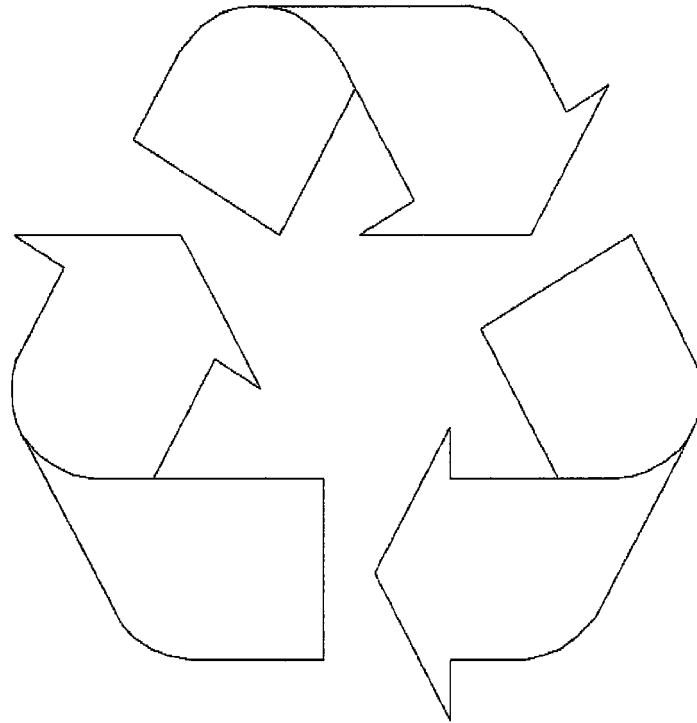
**Exhibit 4****Universal Product Codes**

<b>Shelled Nuts</b>	<b>WBSCM Material</b>	<b>Primary Container</b>	<b>Secondary Container</b>
ALMONDS ROASTED WHOLE SHELL CTN-25 LB	100394		1 07 15001 00394 9
WALNUT ENG PCS CTN-30 LB	100909		1 07 15001 00909 5
PISTACHIO ROASTED IN SHELL PKG-25/1 LB	110178		1 07 15001 10178 2



**Exhibit 5**

**“Please Recycle” Symbol and Statement**



**PLEASE  
RECYCLE**

**Exhibit 6**

**“Corrugated Recycles” Symbol and Statement**



**Corrugated  
Recycles**

**Exhibit 7**

**USDA Symbol**

