UNITED STATES
DEPARTMENT OF
AGRICULTURE

KANSAS CITY
COMMODITY OFFICE
P.O. BOX 419205
KANSAS CITY, MO 64141-6205

EFFECTIVE: March 1, 2001

ANNOUNCEMENT PC6

PURCHASE OF PROCESSED CEREAL PRODUCTS FOR USE IN DOMESTIC PROGRAMS

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UNITED STATES
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KANSAS CITY COMMODITY OFFICE
POST OFFICE BOX 419205
KANSAS CITY, MO 64141-6205

ANNOUNCEMENT PC6
PURCHASE OF PROCESSED CEREAL PRODUCTS FOR USE IN DOMESTIC PROGRAMS

1. GENERAL

A. Invitation for Offers

(1) The United States Department of Agriculture (USDA) will from time to time issue an invitation for offers under this announcement to sell processed cereal products (hereinafter referred to as farina, rolled oats, rolled wheat, bulgur or product) to USDA for use in domestic programs.

(2) The invitation will specify the office to which offers are to be submitted, the closing time for receipt of offers, and provisions applicable to the proposed procurement which are in addition to or different from those set forth herein.

B. Terms and Conditions

(1) Provisions of "General Terms and Conditions for the Procurement of Agricultural Commodities or Services," USDA-1, Revision No. 2, as amended (USDA-1), are incorporated as specified in Section 6 of this announcement.

(2) Offerors are cautioned to read all terms and conditions of USDA-1, TQSA Supplier Guidelines, this announcement, the appendixes to this announcement, and the invitation.

C. Certifications, Representations, and Warranties

Appendix 1 to this announcement contains certifications, representations, and warranties that must be certified and submitted annually to USDA prior to or with an offer. In addition to an annual submission, offerors must submit an updated Appendix 1 as changes in the certifications, representations, and warranties submitted to USDA occur throughout the year.

D. Packaging and Marking Specifications

Appendix 2 to this announcement contains the detailed packaging and marking specifications, and other requirements, applicable to the product delivered under this announcement. Appendix 2, Part 3.15 of this announcement contains the packaging and marking requirements for commercial products.

E. Commercial Item Description

(1) Appendix 3 to this announcement is the Commercial Item Description (CID) for **CEREALS, WHEAT, QUICK-COOKING AND INSTANT**, A-A-20108A dated September 25, 1997.

(2) Appendix 4 to this announcement is the Commercial Item Description (CID) for **CEREALS, ROLLED OATS**, A-A-20090B dated September 20, 1996.

2. ELIGIBILITY OF OFFERORS

To be eligible to submit an offer under this announcement, the offeror must:

A. Submit a completed "Solicitation Mailing List Application" (Standard Form 129) to the contracting officer prior to a first offer. Offeror must complete all portions of form SF-129, except Item 18, and include the following additional information for:

(1) Item 8. Identify all affiliates including any parent company. Provide full name and main office address. A "parent" company is one that owns or controls the activities and basic business policies of the bidder. An "affiliate" is defined on the back of the form.

(2) Item 10. Identify the commodities/products the offeror is interested in supplying.

(3) Items 19 and 20. Must be an officer of the company.

B. Offerors must resubmit form SF-129 as necessary when the information requires updating.

C. Affirmatively demonstrate responsibility as defined in Federal Acquisition Regulation (FAR) 9.104-1. USDA may request a pre-award survey for the purpose of evaluating the offeror's ability to perform the contract.

D. Meet the definitions of a manufacturer or nonmanufacturer as defined below:

(1) Manufacturer means a person that owns, operates, or maintains a factory or establishment that produces on the premises the materials, supplies, articles, or equipment required under the contract and of the general character described by the specifications.

(2) Nonmanufacturer means a person that is primarily engaged in the wholesale or retail trade and normally sells the items being supplied to the general public, and will supply the end item of a small business manufacturer or processor made in the United States, or obtain a waiver of such requirement pursuant to 13 C.F.R. 121.406.

E. Maintain a bona fide business office in the United States for the purpose of selling to USDA the product described in this announcement. Additionally, the offeror must maintain an office, employee, or agent for service of process.

√. . F. Meet the requirements of the Total Quality Systems Audit (TQSA) program. Offerors shall only be allowed to offer from plants that have been audited under TQSA and have received a score of at least 80 points. However, a result of "0" in any element of the TQSA Report Form TQ-003 would preclude participation in the commodity purchase programs until such time corrective action is implemented and verified as effective. (Element scoring: 0 = one (or more) questions with a result of "0", or four or more questions with a result of "M".) The Total Quality Systems Audit Supplier Guidelines setting forth the TQSA requirements may be obtained at the Internet location www.fsa.usda.gov/pdd/tqsa.htm or by contacting the appropriate Contracting Officer at 816-926-6064. . .√

3. SUBMISSION OF OFFERS

A. How to Submit Offers

Offers, modifications, withdrawals of offers, and price adjustments shall be submitted through the Domestic Electronic Bid Entry System (DEBES) and received by the date and local time specified in the invitation for receipt of offers. The time of receipt will be determined and recorded by DEBES. Submission of the above by any means other than DEBES will be determined nonresponsive.

B. Computer Software Requirements

The contractor is responsible for choosing their own Internet Service Provider (ISP) to transmit, translate, or carry data between the offeror and this office. The offeror is responsible for the cost of its third-party network.

(1) Browser requirement: Netscape 4.07 or above **(OR)** Internet Explorer 5.0 or above.
(2) Encryption: Browser capable of handling 128-bit encryption.
(3) Proxy servers: Offerors must set up their proxy server to allow access to the Internet DEBES port.

C. Access to DEBES

(1) Port location is: https://pcsd.usda.gov:3077/mdbc1000.exe?

(2) This office will provide the offeror with an ID number and the initial password needed to access DEBES.

(3) USDA will not be responsible for any failure attributed to the transmission of the bid data prior to being accepted and stored on our web server including, but not limited to the following:

(a) Any failure of the offeror's computer hardware or software.
(b) Availability of your Internet service provider.
(c) Delay in transmission due to the speed of your modem.
(d) Delay in transmission due to excessive volume of Internet traffic.

(4) Price and mode of transportation offered for each item must be entered on the DEBES offer form bid page. The Trans (transportation) Mode on the DEBES offer form bid page will default to truck. Offerors may select the rail or piggyback mode for each item if applicable. Offeror's designated mode of transportation will become a contract requirement and may not change without prior approval from this office.

D. Late Submission and Modifications:

Any offer submitted to DEBES after the designated time specified for receipt in the invitation will not be considered. Notwithstanding the above, a late modification of an otherwise successful bid that makes its terms more favorable to the government will be considered at any time it is received and may be accepted. For the purpose of this announcement, USDA-1, Articles 6 and 7 are excluded.

E. Basis of Offer

Offers are invited f.o.b. destination. Certain destinations require delivery by TRUCK ONLY or RAIL ONLY. Destinations asterisked together in the invitation indicate carlot combinations, and offers are requested for delivery to all points indicated in the combination. Offerors may rearrange destination sequence on carlot combinations provided the offer is for all parts of the carlot combination. A single price shall be offered for each item. Offers for less than quantity requested per item will not be accepted. **USE OF OPEN VAN CARRIERS IS NOT ALLOWED**.

4. ACCEPTANCE OF OFFERS

A. USDA will notify successful offerors on the date specified in the invitation. The date of acceptance by USDA will be the contract date.

B. In addition to the price, factors considered in accepting offers will include the time of shipment, the total cost to the Government to deliver the product to the ultimate destination, and the responsibility of the offeror as demonstrated by prior contract performance.

C. USDA may accept or reject any or all offers, or portions thereof.

5. RESPONSIBILITY AND PAST PERFORMANCE OF OFFEROR

A. Offerors are cautioned not to bid on product quantities exceeding a level that the offeror can reasonably expect to deliver in accordance with the contract schedule. Deliveries must be made during the contracted delivery period and no extensions will be granted due to weekends or Federal holidays. On time delivery is imperative because this product is used in domestic food programs. Late deliveries cause serious and substantial damages to USDA and to other agencies that use this commodity. Contractor delivering late on contracts must immediately notify the contracting officer of late deliveries and how soon delivery can be expected.

B. The offeror must certify to timely performance on current contracts on the DEBES certification form. A determination that the late performance is beyond the control or negligence of the contractor will be made by the contracting officer prior to bid opening. An offeror may be deemed nonresponsible if the offeror is delivering late on contracts with USDA and the late delivery is not due to causes beyond the contractor's control. This provision, as it pertains to small business, is a deviation from FAR 9.103(b) and Subpart 19.6.

6. PROVISIONS OF CONTRACT

A. The contract consists of:

(1) Contractor's offer.

(2) USDA's acceptance.

(3) The applicable invitation.

(4) This announcement, including Appendixes 1-4.

(5) TQSA Supplier Guidelines.

(6) USDA-1, except Articles 50 and 55 and all of Part E. Articles 56, 65 and 67 are applicable, except that contracts will be executed on a delivery basis. All words referring to "ship", "shipping," "shipments," and "shipped" shall be "deliver," "delivering," "delivery(ies)," and "delivered."

B. If the provisions of USDA-1, TQSA Supplier Guidelines, and this announcement are not consistent, the provisions of this announcement will prevail. If the provisions of USDA-1, TQSA Supplier Guidelines, this announcement, and the invitation are not consistent, those of the invitation will prevail.

C. No interpretation or amendment of this announcement is valid or enforceable unless such interpretation or amendment is in writing and executed by the contracting officer.

7. NAICS CODE AND SMALL BUSINESS SIZE STANDARD

A. The North American Industry Classification System (NAICS) code for this acquisition and the small business size standard is:

COMMODITY	NAICS CODE	SIZE STANDARD (Employees)
Farina	311230	1,000
Rolled Oats	311230	1,000
Rolled Wheat	311230	1,000
Bulgur	311230	1,000

B. The small business size standard for a concern which submits an offer in its own name, but which proposes to furnish a product which it did not itself manufacture is 500 employees.

C. The U.S. Small Business Administration (SBA) has implemented the Procurement Marketing and Access Network (Pro-Net). PRO-Net is a procurement related Internet-based electronic search engine for locating small, small disadvantaged, and women-owned small business sources. The PRO-Net Internet address (URL) is (http://pro-net.sba.gov). Companies that do not have access to the Internet may register for PRO-Net through your local SBA office. The PRO-Net is a free electronic gateway linked to the Commerce Business Daily, government agency home pages, and other sources of procurement opportunities.

8. RESPONSES TO ILLEGAL OR IMPROPER ACTIVITY

A. <u>Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity</u>

(1) If the Government receives information that a contractor or a person has engaged in conduct constituting a violation of subsection (a), (b), (c), or (d) of Section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423) (the Act), as amended by section 4304 of the 1996 National Defense Authorization Act for Fiscal Year 1996 (Pub. L. 104-106), the Government may:

(a) Cancel the solicitation, if the contract has not yet been awarded or issued; or

(b) Rescind the contract with respect to which:

1) The contractor or someone acting for the contractor has been convicted for an offense where the conduct constitutes a violation of subsection 27 (a) or (b) of the Act for the purpose of either:

a) Exchanging the information covered by such subsections for anything of value; or

b) Obtaining or giving anyone a competitive advantage in the award of a Federal agency procurement contract; or

2) The head of the contracting activity has determined, based upon a preponderance of the evidence, that the contractor or someone acting for the contractor has engaged in conduct constituting an offense punishable under subsections 27(e)(1) of the Act.

(2) If the Government rescinds the contract under paragraph A. (1) of this clause, the Government is entitled to recover, in addition to any penalty prescribed by law, the amount expended under the contract.

(3) The rights and remedies of the Government specified herein are not exclusive, and are in addition to any other rights and remedies provided by law, regulation, or under this contract.

B. Price or Fee Adjustment for Illegal or Improper Activity

(1) The Government, at its election, may reduce the price of a fixed-price type contract and the total cost and fee under a cost-type contract by the amount of profit or fee determined as set forth in paragraph B. (2) of this clause if the head of the contracting activity or designee determine that there was a violation of subsection 27 (a), (b), or (c) of the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 423), as implemented in section 3.104 of the Federal Acquisition Regulation.

(2) The price or fee reduction referred to in paragraph B. (1) of this clause shall be:

(a) For cost-plus-fixed-fee contracts, the amount of the fee specified in the contract at the time of award;

(b) For cost-plus-incentive-fee-contracts, the target fee specified in the contract at the time of award, notwithstanding any minimum fee or “fee floor” specified in the contract;

(c) For cost-plus-award-fee contracts:

1) The base fee established in the contract at the time of contract award;

2) If no base fee is specified in the contract, 30 percent of the amount of each award fee otherwise payable to the contractor for each award fee evaluation period or at each award fee determination point.

(d) For fixed-price-incentive contracts, the Government may:

1) Reduce the contract target price and contract target profit both by an amount equal to the initial target profit specified in the contract at the time of contract award; or

2) If an immediate adjustment to the contract target price and contract target profit would have a significant adverse impact on the incentive price revision relationship under the contract, or adversely affect the contract financing provisions, the contracting officer may defer such adjustment until establishment of the total final price of the contract. The total final prices established in accordance with the incentive price revision provisions of the contract award and such reduced price shall be the total final contract price.

(e) For firm-fixed-price contracts, by 10 percent of the initial contract price or a profit amount determined by the contracting officer from records or documents in existence prior to the date of the contract award.

(3) The Government may, at its election, reduce a prime contractor's price or fee in accordance with the procedures of paragraph B. (2) of this clause for violations of the Act by its subcontractors by an amount not to exceed the amount of profit or fee reflected in the subcontract at the time the subcontract was first definitively priced.

(4) In addition to the remedies in paragraphs B. (1) and B. (3) of this clause, the Government may terminate this contract for default. The rights and remedies of the Government specified herein are not exclusive, and are in addition to any other rights and remedies provided by law or under this contract.

9. PROTECTING THE GOVERNMENT'S INTEREST WHEN SUBCONTRACTING WITH CONTRACTORS DEBARRED, SUSPENDED, OR PROPOSED FOR DEBARMENT

A. The Government suspends or debars contractors to protect the Government's interests. Contractors must not enter into any subcontract equal to, or in excess of, the small purchase limitation of $25,000 with a contractor that has been debarred, suspended, or proposed for debarment unless the acquiring agency's head or designee determines there is a compelling reason for such action (FAR 9.405).

B. The contractor must require each proposed first-tier subcontractor, whose subcontract shall exceed the small purchase limitation of $25,000, to disclose to the contractor, in writing, whether as of the time of award of the subcontract, the subcontractor, or its principals, is or is not debarred, suspended, or proposed for debarment by the Federal Government.

C. A corporate officer or a designee of the contractor must notify the contracting officer, in writing, before entering into a subcontract with a party that is debarred, suspended, or proposed for debarment (See FAR 9.404 for information on the List of Parties Excluded from Federal Procurement Programs). The notice must include the following:

(1) The name of the subcontractor;

(2) The contractor's knowledge of the reasons for the subcontractor being on the List of Parties Excluded from Federal Procurement Programs;

(3) The compelling reason(s) for doing business with the subcontractor notwithstanding its inclusion on the List of Parties Excluded from Federal Procurement Programs;

(4) The systems and procedures the contractor has established to ensure that it is fully protecting the Government's interests when dealing with such subcontractor in view of the specific basis for the party's debarment, suspension, or proposed debarment.

10. COMMODITY SPECIFICATIONS

A. Domestic Origin

(1) The product delivered under this announcement must be produced in the United States from commodities produced in the United States.

(2) For purposes of this section, the following definition applies:

"Produced in the United States" means manufactured, processed, mined, harvested, or otherwise prepared for sale or distribution, from components originating in the United States. Components originating in the United States which have been exported, and subsequently imported back into the United States, will not be considered as having been produced in the United States.

(3) The contractor must maintain records to verify that during the contract shipping period, at the point of packaging or, in the case of bulk commodities, at the point of delivery to USDA, the product was in compliance with the domestic origin requirements of this section of the announcement. (See Article 76 of USDA-1)

(4) USDA will randomly conduct domestic origin compliance reviews to determine if the product delivered to USDA was produced and manufactured in the U.S. from materials produced and manufactured in the U.S. Upon request, the contractor must submit documentation substantiating compliance to the contracting officer for review. This documentation may include procurement, production, inventory, delivery, and any other pertinent records. Onsite reviews may also be performed, at the discretion of USDA.

B. Farina

(1) Quality

The farina delivered under this announcement must meet the requirements of Appendix 3, Type I, and the following Table 1, except as they may be augmented or altered under this announcement.

Table 1 - Iron Enrichment Standards

ITEM	MINIMUM PER POUND	MAXIMUM PER POUND
Iron, in form of Ferric Phosphate 1/, 2/, mg	90	140

1/ Must conform to the requirements outlined in the Food Chemicals Codex.
2/ As an alternate, reduced iron in the form of electrolytic of hydrogen reduced iron may be used.

(2) Quality Discounts

If the product to be delivered by the contractor does not meet the quality requirements as specified but falls within the listed discounts, the product may be delivered to USDA, but the purchase price will be reduced in accordance with the following schedule of discounts for each 100 pounds (net weight) of commodity delivered.

Deficient Iron
mg./lb.

89 thru 80 - 10 cents
79 thru 70 - 25 cents

C. Rolled Oats

(1) Quality

The rolled oats to be delivered under this announcement must meet the requirements of Appendix 4, Type I, except as they may be augmented or altered under this announcement.

(2) If the product to be delivered by the contractor does not meet the quality requirements as specified but falls within the limits listed below, the product may be delivered to USDA, but the purchase price will be reduced in accordance with the following schedule of discounts for each 100 pounds (net weight) of product delivered.

EXCESS CRUDE FIBER	
1.9 or 2.0	10 cents
2.1	25 cents
2.2 or 2.3	35 cents

D. Rolled Wheat

(1) Quality

The rolled wheat delivered under this announcement must meet the requirements of Appendix 3, Type III, except as they may be augmented or altered under this announcement.

(2) All wheat products must be tested for vomitoxin. Any product in excess of one part per million shall not be shipped.

(3) Quality Discounts - None

E. Bulgur

(1) Quality

The bulgur delivered under this announcement may be of any of the classes defined in the Official Grain Standards of the United States for wheat except mixtures of wheat of contrasting classes. The wheat must not contain more than 4.0 percent damaged kernels. The bulgur must conform to all of the provisions of the Federal Food, Drug, and Cosmetic Act, as amended, and the regulations promulgated thereunder.

Bulgur produced and shipped under this announcement must meet the requirements of the following Table 2, except as they may be augmented or altered under this announcement.

Table 2 - Chemical and Physical Requirements

BULGUR

ITEM	REQUIREMENTS 1/	
	MINIMUM %	MAXIMUM %
Moisture	----	11.5
Protein (N x 5.7) 2/	9.3	----
Crude Fiber 2/	----	2.3
Ash 2/	----	1.8
Foreign Material: Total 3/	----	0.2
Material Except Other Grains 4/	----	0.05
Scorched particles (whole or pieces of kernels)	----	0.2
Ungelatinized particles (whole or pieces of kernels)	----	1.0
Whole processed kernels remaining on U.S. Standard No. 8 Woven-Wire-Cloth sieve,	----	4.0
Material That Will Pass Through U.S. Standard No. 8 Woven-Wire-Cloth-Sieve	80.0	----
Material That Will Pass Through U.S. Standard No. 14 Woven-Wire-Cloth-Sieve	----	18.0
Material That Will Pass Through U.S. Standard No. 30 Woven-Wire-Cloth-Sieve	----	0.9

1/ All percentages are on the basis of weight.
2/ These limiting values are on a moisture-free basis.
3/ All material other than wheat.
4/ Including grain hulls either attached or detached. However, any hulls attached to product should be detached before inclusion in the hull fraction.

(2) Quality Discounts - None

F. Commercial Product Specification

(1) Contractors supplying commercial labeled products must certify and fully demonstrate that the product being delivered has a history of successful distribution and use in domestic commercial channels, and is sold on the commercial market with an established level of consumer acceptance prior to the initial bid. The product delivered shall comply with all applicable Federal and State mandatory requirements and regulations relating to the preparation, processing, packaging, labeling, storage, distribution, and sale within the commercial marketplace.

(2) The product must conform in every respect to the provisions of the "Federal Food, Drug, and Cosmetic Act," as amended, and the regulations promulgated thereunder, including any Defect Action Level guidelines issued by the Food and Drug Administration (FDA) which may be applicable to this product. Any product with counts in excess of the FDA Defect Action Level guidelines shall not be shipped.

(3) The product must conform in every respect to the requirements of Appendix 4, Commercial Item Description (CID) A-A-20090B, dated September 20, 1996.

(4) Warranty. The product must have a shelf life of at least one year from date of manufacture. Product must not be manufactured more than 30 days prior to shipping. Contractor must replace defective commodity with equal quantity of commodity which conforms to all contract requirements and specifications, provided replacement is agreed to by USDA.

(5) The product delivered must comply with the domestic origin requirements as specified in Section 10, paragraph A.

G. Subject to the provisions of Articles 60 and 68 of USDA-1, product which deviates from the specifications of this contract will be rejected.

11. QUALITY ASSURANCE

A. The contractor must perform the product testing and quality analysis to ensure that the product meets the specifications described in Section 10 B-F. The results must be evidenced by a Certificate of Analysis. The contractor must retain the Certificates of Analysis and furnish to USDA upon request. Contractors are required to notify KCCO immediately of lots that fail to meet contract requirements.

B. Contractor must not ship the product unless the containers and markings meet the Acceptable Quality Level (AQL) of the "U.S. Standards for Condition of Food Containers." Except with respect to shipments which do not meet the AQL standards, and notwithstanding Article 56 (b) of USDA-1, contractor assumes all risks and liabilities that arise with respect to the failure of the shipped product to meet contract specifications.

C. TQSA program is a method of contractor verification and shall not relieve contractors of their responsibility to deliver a product which complies with all contractual and specification requirements.

D. If contractor becomes TQSA non-compliant after contract is awarded and through execution of contract, the contracting officer may terminate contract for default.

12. SHIPMENT AND DELIVERY

A. Shipment and delivery must be made in accordance with this announcement and Articles 56 and 64 of USDA-1.

B. Title and risk of loss will pass to USDA on the date of delivery, as evidenced by signed and dated consignee's receipt, warehouse receipt, dock receipt, or other similar document acceptable to USDA.

C. The quantity of the product delivered in good condition must be evidenced by signed and dated consignee's receipt, warehouse receipt, dock receipt, or other similar document acceptable to USDA, and such document must be retained by the contractor.

D. Contractors are required to make **TWO** notifications for each shipment (See Article 56(c) of USDA-1):

(1) The State Agency, "Consign To" party shown on the Notice to Deliver (N/D), must be **FAXED** on the day of shipment.

(2) The receiving warehouse, "Care Of" party shown on the N/D, must be called 24 hours in advance to schedule an unloading appointment. (This is not required for rail shipments.) Contractors must notify the contracting officer in advance if deliveries will not be made by the final delivery date under the contract, in accordance with Article 67(a) of USDA-1.

E. Consignees may request upgrading of delivery service; for example, delivery within the doors of the consignee's premises or to a specific room within a building. Contractors are alerted that such delivery terms are beyond contractual requirements. If an upgrade of delivery services is requested and agreed to, additional charges must be billed to the party requesting the service.

13. LIQUIDATED DAMAGES

A. <u>Compensation to Contractor for Late Issuance of Notice to Deliver</u>

Liquidated damages for delay in delivery due to late issuance of the "Notice to Deliver" (KC-269), will be payable in accordance with Article 65 of USDA-1, and will be at the rate of $0.35 per 100 pounds (net weight) per day.

B. Compensation to USDA for Delay in Delivery

Liquidated damages for delay in delivery will be payable in accordance with Article 67 of USDA-1, and will be at the rate of $0.35 per 100 pounds (net weight) per day.

14. INVOICES AND PAYMENT

A. Invoicing and payment will be handled in accordance with Article 70, USDA-1 except that a properly prepared invoice package must include the following supporting documents:

(1) A signed and dated Form KC-269 (reverse side) which includes the "Contractor's Invoice Certification" evidencing the date of delivery and quantity (units) delivered in good condition, OR

(2) A signed and dated commercial invoice evidencing the date of delivery and quantity (units) delivered in good condition which must include the following statement (either as a part of the commercial invoice or an attachment to):

"Contractor's Invoice Certification"

"I certify that this invoice presented for payment is true. This certification is executed with full knowledge of the provision of 15 U.S.C. 714m(a), which provides a fine of not to exceed $10,000 or imprisonment of not more than five years or both, for making any statement knowing it to be false, for the purpose of influencing in any way the action of the United States Department of Agriculture, and with full knowledge of the provisions of 31 U.S.C. 3729 imposing civil liability upon any person who shall make or cause to be made a false, fictitious, or fraudulent claim against the United States."

_____ _____

Authorized signature Date

(3) Commercial bill of lading.

(4) If the contractor does not complete a "Contractor's Invoice Certification," then proof of delivery as evidenced by one or more of the following documents will be required as a part of the invoice package:

(a) A copy of the Bill of Lading signed and dated by the recipient

(b) A copy of the commercial receipt evidencing delivery signed and dated by the recipient.

Invoices must be mailed to:

Kansas City Finance Office
Financial Operations Division, Payment Certification Branch
Stop Code 8578
P.O. Box 419205
Kansas City, MO 64141-6205

B. The Debt Collection Improvement Act of 1996 amended 31 U.S.C. 3332 to require Federal agencies to convert all Federal payments from checks to electronic fund transfers. Payments may be made directly to a financial banking institution. To receive payments electronically, Standard Form 3881, ACH Vendor/Miscellaneous Payment Enrollment Form must be completed. If you have questions or would like this form mailed to you, contact Financial Operations Division, Payment Certification Branch.

C. If product to be delivered by the contractor falls within the quality discount table as outlined in Section 10, Commodity Specifications, a Certificate of Analysis of the analytical results must be submitted with the invoice package, and these factors must be asterisked.

15. INQUIRIES

Inquiries pertaining to USDA-1 and this announcement should be directed to:

Kansas City Commodity Office
Dairy and Domestic Operations Division
Stop Code 8718
P.O. Box 419205
Kansas City, MO 64141-6205

George W. Aldaya
Director
Kansas City Commodity Office

UNITED STATES
DEPARTMENT OF
AGRICULTURE

KANSAS CITY
COMMODITY OFFICE
P.O. BOX 419205
KANSAS CITY, MO 64141-6205

EFFECTIVE: March 1, 2001

APPENDIX 1

Certifications, Representations, and Warranties for DOMESTIC COMMODITY PROCUREMENTS

APPENDIX 1

Certifications, Representations, and Warranties

These certifications concern matters within the jurisdiction of an agency of the United States and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under the United States Code, including Title 18, U.S.C., Section 1001 and Title 15, U.S.C., Section 714m.

1. The certifications, representations, and warranties listed in this appendix are required for submission of offers. The Kansas City Commodity Office (KCCO) will retain this appendix on file as the offeror's certifications, representations, and warranties for subsequent invitations for offers under the announcement(s) checked in the table below. By submitting an offer under the announcement(s) checked as applicable by the offeror in the table below, the offeror certifies and warrants that the appendix on file with KCCO contains the current status of the offeror. Offerors are responsible for updating this appendix as may be necessary prior to, or with any applicable offer submission by the offeror.

Domestic Announcements (Check **U** Applicable Announcements)			
	BF Bakery Flour Products		**PC** Processed Cereal
	CR Crackers		**PP** Peanut Products
	CP Corn Products		**RC** Instant Rice Cereal
	FC Fortified Cereal Products		**RP** Rice Products
	MC Macaroni and Cheese		**VP** Vegetable Oil Products
	PA Pasta Products		**WF** Wheat Flour Products

2. Notice of Requirements for Certification of Nonsegregated Facilities

By submitting an offer under the announcement(s) indicated in paragraph 1 of this appendix, the offeror shall be deemed to have agreed to the provisions of the "Certification of Nonsegregated Facilities" in Article 31 of USDA-1.

3. Manufacturer *(Check One)*

Offeror represents and certifies that it is ☐ is not ☐ a manufacturer.

Manufacturer means a person that owns, operates, or maintains a factory or establishment that produces on the premises the materials, supplies, articles, or equipment required under the contract and of the general character described by the specifications.

4. Nonmanufacturer *(Check One)*

Offeror represents and certifies it is ☐ is not ☐ a nonmanufacturer.

Nonmanufacturer means a person that is primarily engaged in the wholesale or retail trade and normally sells the items being supplied to the general public, and will supply the end item of a small business manufacturer or processor made in the United States, or obtain a waiver of such requirement pursuant to 13 C.F.R. 121.406.

5. Notice of Total Small Business Set-Aside (Applicable if procurement is a Total Small Business Set Aside)

A. <u>Definition</u>

"Small business concern," as used in this clause, means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria and size standards in Title 13 CFR 121.

B. <u>General</u>

SET-ASIDE ITEM NUMBERS ARE THOSE IN THE 700-900 SERIES. Offers received from other than a small business for small business set-aside item numbers will not be considered unless USDA is unsuccessful in contracting for those item numbers under set-aside provisions. In that event, USDA may award the set-aside item numbers to other than small businesses.

C. <u>Agreement</u>

A manufacturer or nonmanufacturer submitting an offer in its own name warrants that it will furnish in performing the contract, only small business set-aside end items manufactured or produced by small business concerns inside the United States, its territories and possessions, the Commonwealth of Puerto Rico, or the Trust Territory of the Pacific Islands.

6. Small Business Concern Representation ***(Check One)***

A. Offeror represents and certifies as part of its offer that it is ☐ is not ☐ a small business concern as defined in paragraph 5.A. of this appendix.

B. If offeror is a small business concern, manufacturer or nonmanufacturer, it also represents that all ☐ not all ☐ end items to be furnished must be manufactured or produced by a small business concern in the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Trust Territory of the Pacific Islands.

7. Small Disadvantaged Business Concern Representation ***(Check One)***

Offeror is ☐ is not ☐ a small disadvantaged business concern as defined in Article 45 of USDA-1.

8. Women-Owned Small Business Representation ***(Check One)***

Offeror is ☐ is not ☐ a women-owned small business concern as defined in Article 42 of USDA-1.

9. HUBZone Representation ***(Check One)***

Offeror is ☐ is not ☐ a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal place of ownership, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR part 126; and

Offeror is ☐ is not ☐ a joint venture that complies with the requirements of 13 CFR part 126, and the representation in the above paragraph of this provision is accurate for the HUBZone small business concern or concerns that are participating in the joint venture. (*The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture: _____.)* The offeror is responsible for each HUBZone small business concern participating in the joint venture submitting a separate copy of the HUBZone representation.

10. Veteran-owned Small Business Concern Representation ***(Check One)***

Offeror is ☐ is not ☐ a veteran-owned small business concern as defined below.

<u>Veteran-owned small business concern means a small business concern</u>:

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101 (2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

11. Service-disabled Veteran-owned Small Business Concern Representation ***(Check One)***

Offeror is ☐ is not ☐ a service-disabled veteran-owned small business concern as defined below.

Service-disabled veteran-owned small business concern means a small business concern:

(1) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(2) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(3) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service connected, as defined in 38 U.S.C. 101 (16)

12. Contingent Fee Representation ***(Check One)***

The offeror represents that, except for full-time bona fide employees working solely for the offeror, the offeror:

A. Has ☐ Has not ☐ employed or retained any person or firm to solicit or obtain this contract;

B. Has ☐ Has not ☐ paid or agreed to pay to any person or firm employed or retained to solicit or obtain this contract any commission, percentage, brokerage, or other fee contingent upon or resulting from the award of this contract.

13. Clean Air and Water Certification ***(Check One)***

Offeror certifies as follows:

A. Any facility to be used in the performance of this proposed contract is ☐ is not ☐ listed on the Environmental Protection Agency (EPA) List of Violating Facilities;

B. Offeror must immediately notify the contracting officer, before award, of the receipt of any communication from the Administrator, or a designee of the EPA, indicating that any facility that the offeror proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities;

C. Offeror must include a certification substantially the same as this certification, including this paragraph, in every nonexempt subcontract. (Article 47 of USDA-1 contains the Clean Air and Water Clause.)

14. Affirmative Action Compliance ***(Check One)***

Offeror represents that it:

A. Has ☐ Has not ☐ developed and has ☐ does not have ☐ on file, at each establishment, affirmative action programs required by the rules and regulations of the Secretary of Labor (Title 41 CFR 60-1 and 60-2);

B. Has ☐ Has not ☐ previously had contracts subject to the written affirmative action program requirement of the rules and regulations of the Secretary of Labor.

15. Previous Contracts and Compliance Reports (*Check One)*

Offeror represents that it:

A. Has ☐ Has not ☐ participated in a previous contract or subcontract subject either to the "Equal Opportunity" clause in Article 41 of USDA-1, the clause originally contained in Section 310 of Executive Order No. 10925, or the clause contained in Section 201 of Executive Order No. 11114;

B. Has ☐ Has not ☐ filed all required compliance reports;

C. Must obtain representations indicating submission of required compliance reports signed by proposed subcontractors prior to subcontract awards.

16. Certificate of Independent Price Determination ***(Check A or B)***

A. ☐ Offeror certifies that the person submitting this bid, as identified in Section 20, is the person in offeror's organization responsible for determining the prices being offered in this bid and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) of the "Certificate of Independent Price Determination" in Article 30 of USDA-1;

B. ☐ Offeror certifies that the person submitting this bid, as identified in Section 20, is an authorized agent for (_____) and does certify that the principal named above has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3); and, as agent, has not personally participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) of the "Certificate of Independent Price Determination."

17. Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions

A. The definitions and prohibitions contained in the clause "Limitation on Payments to Influence Certain Federal Transactions" in FAR 52.203-12, are hereby incorporated, by reference, in this certification.

B. The offeror, by submitting its offer, hereby certifies to the best of his or her knowledge and belief that:

(1) No federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with the awarding of a contract resulting from this solicitation;

(2) If any funds, other than federal appropriated funds (including profit or fee received under a covered federal transaction), have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with this solicitation, the offeror must complete and submit, with its offer, "Disclosure of Lobbying Activities" (OMB Standard Form LLL), to the contracting officer;

(3) The language of this certification must be included in all subcontract awards at any tier and require that all recipients of subcontract awards in excess of $100,000 shall certify and disclose accordingly.

C. Submission of this certification and disclosure is a prerequisite for making or entering into this contract imposed by Title 31, U.S.C., Section 1352. Any person who makes an expenditure prohibited under this provision or who fails to file or amend the disclosure form to be filed or amended by this provision, shall be subject to a civil penalty of not less than $10,000, and not more than $100,000, for each such failure.

18. Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters ***(Check All That Apply)***

A. The offeror certifies, to the best of his or her knowledge and belief, that:

(1) The offeror and/or any of its principals:

(a) Are ☐ Are not ☐ presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any federal agency;

(b) Have ☐ Have not ☐ within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) contract or subcontract; violation of federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are ☐ Are not ☐ presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in Subdivision A(1)(b) of this provision.

(2) The offeror has ☐ has not ☐ within a three-year period preceding this offer, had one or more contracts terminated for default by any federal agency.

B. "Principals," for the purpose of this certification means officers, directors, owners, partners, and/or persons having primary management or supervisory responsibilities within a business entity (e.g., general manager, plant manager, head of a subsidiary, division, or business segment, and similar positions).

C. The offeror must provide immediate written notice to the contracting officer if, at any time prior to contract award, the offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

D. A certification where any items in paragraph A. of this provision exists shall not necessarily result in withholding of an award under this solicitation. However, certification shall be considered in connection with a determination of the offeror's responsibility. Failure of the offeror to furnish a certification or provide such additional information as requested by the contracting officer may render the offeror nonresponsive.

E. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph A. of this provision. The knowledge and information of an offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

F. The certification in paragraph A. of this provision is a material representation of fact upon which reliance was placed when making the award. If it is later determined that the offeror knowingly rendered an erroneous certification, in addition to other remedies available to the Government, the contracting officer may terminate the contract resulting from this solicitation for default.

19. Taxpayer Identification

A. Definitions

(1) "Common parent," as used in this solicitation provision, means that corporate entity that owns or controls an affiliated group of corporations that files its Federal income tax returns on a consolidated basis, and of which the offeror is a member.

(2) "Corporate status," as used in this solicitation provision, means a designation as to whether the offeror is a corporate entity or an unincorporated entity (e.g., sole proprietorship or partnership).

(3) "Taxpayer Identification Number (TIN)," as used in this solicitation provision, means the number required by the Internal Revenue Service (IRS) to be used by the offeror in reporting income tax and other returns.

B. All offerors are required to submit the information required in paragraphs C. through E. of this section in order to comply with reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M and implementing regulations issued by the IRS. If the resulting contract is subject to the reporting requirements described in FAR 4.903, the failure or refusal by the offeror to furnish the information may result in a 31 percent reduction of payments otherwise due under the contract.

C. Taxpayer Identification Number (TIN)

TIN: _____

☐ TIN has been applied for.

TIN is not required because: _____

_____

D. Corporate Status *(Check One)*

Corporation	
Sole Proprietorship	
Partnership	

E. Common Parent

☐ Offeror is not owned by a common parent as defined in paragraph A.

Common parent name: _____

Common parent TIN: _____

20. The certifications, warranties, and representations as set forth in this appendix to the announcement(s) indicated as applicable in paragraph 1 of this appendix and Part C of USDA-1, are hereby made.

IN WITNESS WHEREOF, the undersigned has executed this offer this _____ day of _____ , _____ .
(Month) (Year)

NAME OF FIRM _____

SIGNATURE [1] _____ TITLE _____

TYPED NAME _____

Officer or Employee Responsible for the Offer

Additional Representatives Authorized to Sign Offers	
Signature	**Typed Name**

ADDRESS _____

CITY _____ STATE _____ ZIP CODE _____

TELEPHONE NO. _____ FAX NO. _____

EMAIL ADDRESS _____

[1] **Before signing this Appendix, see Article 6 of USDA-1.**

UNITED STATES
DEPARTMENT OF
AGRICULTURE

KANSAS CITY
COMMODITY OFFICE
P.O. BOX 419205
KANSAS CITY, MO 64141-6205

EFFECTIVE: March 1, 2001

APPENDIX 2
Packaging and Marking Specifications

ANNOUNCEMENT PC6
PURCHASE OF PROCESSED CEREAL PRODUCTS
FOR USE IN DOMESTIC PROGRAMS

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APPENDIX 2 TO ANNOUNCEMENT PC6
PURCHASE OF PROCESSED CEREAL PRODUCTS
FOR USE IN DOMESTIC PROGRAMS

Packaging and Marking Specifications

PART 1. BASIC PROVISIONS

1.1 PURPOSE

A. This appendix outlines the packaging and marking requirements, container specifications, and procedures for the approval of containers and packaging materials used in shipments of processed products under domestic food assistance programs.

B. This appendix supersedes all previous packaging requirements and specifications outlined in handbooks, announcements, or notices.

C. Changes to this appendix will be issued periodically in the form of amendments to the announcement. Contractors are advised to ensure that all subcontractors; e.g., container and packaging material manufacturers, are familiar with the requirements on a contract-by-contract basis.

D. Container, packaging, and marking requirements for commercial products are referenced in Part 3, Container and Packaging Requirements, Section 3.15

1.2 USDA RESPONSIBILITIES

A. The Deputy Administrator, Commodity Operations (DACO), USDA-FSA, Washington, DC, is responsible for approving the use of all containers and packaging materials.

B. The contractor is responsible for assurance that product and packaging meet specifications in this appendix.

C. The Kansas City Commodity Office (KCCO) is responsible for accepting or rejecting commodities, containers, and packaging materials on a contract-by-contract basis.

1.3 APPROVAL OF ALTERNATIVE PACKAGING

A. To request approval of alternative container or packaging material, commodity suppliers or package manufacturers must submit a written request to DACO, including the construction specification and any supporting evidence of performance such as:

(1) Laboratory test data.

(2) Reports of field testing.

(3) History of successful use in commercial channels.

(4) Environmental impact.

B. The supporting evidence must show that the proposed alternative container or packaging material will perform as well as the container(s) or packaging material(s) currently specified and authorized for use.

C. The proposed alternative container or packaging material must have an environmental impact equal to or less than the container(s) or packaging material(s) currently specified and authorized for use. DACO will evaluate the total life cycle of the proposed alternative container or packaging material and will consider the environmental impact of each stage from manufacture, through its use, to waste management (reuse, recycle, or disposal).

D. In response to requests, DACO will do one or more of the following:

(1) Request that samples of the container or packaging material be sent for evaluation to a package testing laboratory designated by DACO.

(2) Require test shipments of filled containers.

(3) Deny the use of the container or packaging material.

(4) Authorize the use of the container or packaging material, in writing, based on the information submitted, environmental impact evaluation, and/or completion of successful testing. The written authorization must be made available to Total Quality Systems Audit (TQSA) auditors or KCCO contracting officers upon request.

1.4 INQUIRIES

Inquiries concerning these specifications or the approval of alternative containers should be directed to:

USDA/FSA/DACO/PDD
Contract Management Branch
STOP 0551
1400 Independence Avenue SW
Washington, DC 20250-0551
ATTN: Packaging

1.5 LIABILITY

In accordance with Article 60 of USDA-1, USDA's contractor will be liable if containers or packaging materials do not meet contract requirements.

1.6 INQUIRIES FOR FEDERAL SPECIFICATIONS AND STANDARDS

For copies of referenced Federal specifications and standards contact:

GSA Federal Supply Service Bureau
Specifications Section (3FBP-W)
470 East L'Enfant Plaza SW, Suite 8100
Washington, DC 20407
Phone: (202) 619-8925

PART 2. GENERAL REQUIREMENTS

2.1 CONTAINERS AND MATERIALS

A. Unless otherwise specified, all containers and packaging materials must be:

(1) Constructed as specified in this appendix and any referenced specifications, or as authorized in writing by DACO.

(2) New and made of components and by processes which will not impart an odor, flavor, color, or other objectionable characteristic to the product being packaged.

(3) Constructed to meet the requirements of the Food and Drug Administration (FDA) for safe contact with the packaged product.

(4) Constructed from the maximum amount of recycled materials practicable without jeopardizing performance or food safety.

B. All containers and packaging materials must be manufactured and assembled in the United States. The components that make up the fabricating materials of the containers and packaging materials must be of U.S. origin to the extent that they are commercially available. Questions concerning the availability of a material should be directed to:

USDA/FSA/DACO/PDD
Contract Management Branch
STOP 0551
1400 Independence Avenue SW
Washington, DC 20250-0551
ATTN: Packaging

C. The contractor must maintain records to verify that during the contract delivery period, at the point of packaging, the containers and packaging materials were in compliance with paragraph 2.1.B. See Article 76 of USDA-1.

D. Filled containers must be safe for individuals coming in contact with them during handling, stacking, and storage operations.

E. The weight capacity of a container; e.g., 5-pound bag, is defined as a container designed to hold 5 pounds of product.

2.2 CERTIFICATION OF COMPLIANCE

A. A Certification of Compliance (C.O.C.) must be provided by the container or packaging material manufacturer for each contract.

B. The C.O.C. must state that all containers or packaging materials meet the requirements of this appendix.

C. The TQSA auditor will determine whether the contractor has obtained a C.O.C. from the appropriate container or packaging material manufacturer.

D. The C.O.C. must be either printed on each individual container or provided in writing for review by the TQSA auditor. When printed on the container, the C.O.C. must be as small as possible, yet legible.

E. The C.O.C. must read:

"THIS CONTAINER IS CONSTRUCTED IN COMPLIANCE WITH DACO PACKAGING REQUIREMENTS"

or

"THIS PACKAGING MATERIAL IS CONSTRUCTED IN COMPLIANCE WITH DACO PACKAGING REQUIREMENTS"

F. The C.O.C. may be printed in either upper or lower case lettering.

PART 3. CONTAINER AND PACKAGING REQUIREMENTS

3.1 CARTONS

A. 14-Ounce Cartons

1. 14 ounces of product must be packed in paperboard cartons with sealed ends. The carton must conform to Federal Specification PPP-B-566, as amended, Variety 1, Style I, Type A, Class a or b.

2. The carton must be constructed of either:

   (1) a minimum 0.022 inch, 85-pound basis weight solid food grade paperboard, or

   (2) a minimum 0.020 inch, 80-pound basis weight solid food grade paperboard overwrapped and sealed with a 0.45-pound white finish paper stock label.

3. The carton must be sized to minimize headspace.

B. 2-Pound or 3-Pound Cartons

1. 2 or 3 pounds of product, as applicable, must be packed in paperboard cartons with sealed ends. The carton must conform to Federal Specification PPP-B-566, as amended, Variety 1, Style I, Type A, Class a or b.

2. The carton must be constructed of a minimum 0.028 inch solid food grade paperboard with a bursting strength of 105 p.s.i.

3. The carton must be sized to minimize headspace.

3.2 FIBERBOARD TUBES

All fiberboard tubes must be packed in corrugated fiberboard shipping containers as specified in paragraph 3.5.

A. 18-Ounce Fiberboard Tubes

18 ounces of product must be packed in fiberboard tubes of a type normally used in commercial channels.

B. 2-Pound 10-Ounce Fiberboard Tubes

2-pound 10-ounce products must be packed in a spiral wound fiberboard tube constructed of either:

1. 2-ply, 0.024 inch double kraft-lined tube stock laminated with vegetable base dextrine. The ends must be constructed of 0.026 inch double manila line cap stock.

2. 2-ply, 0.027 inch, straw chipboard with the ends constructed of 0.028 inch manila outside cap stock.

3.3 SMALL PAPER BAGS

A. 2, 3, or 5 pounds of product must be packed in bags constructed of 60-pound basis weight natural kraft or extensible paper.

B. 10 pounds of product must be packed in bags constructed of 70-pound basis weight natural kraft or extensible paper.

C. The side seam of each bag must be adhered with a moisture-resistant adhesive. The finished seam must be capable of withstanding immersion in water at 73.5^{o}F, plus or minus 5°F, for a period of not less than 6 hours without the glued seam separating voluntarily. If the seam is separated manually after the immersion period, the paper at the seam must show evidence of fiber tear.

D. The bag closures must be secured to prevent the product from leaking out of the bags during distribution. Closure by means of gummed tape is not acceptable.

3.4 BALERS

A. Paper or plastic balers must be used for 24/2-pound, 12/3-pound, 8/5-pound, and 4/10-pound bags. Balers must provide a compact, solid, and securely-held unit to prevent shifting of the bags within the baler during handling, stacking, and shipment.

B. Plastic balers may have holes in the seal area only. These holes are not acceptable if they allow the bags to become loose or fall from the baler.

C. Markings are not required on the plastic balers.

3.5 CORRUGATED FIBERBOARD SHIPPING CONTAINERS

A. Shipping containers must be packed with 12/14-ounce cartons, 24/14-ounce cartons, 24/2-pound cartons, 12/3-pound cartons, 12/18-ounce fiberboard tubes, 24/18-ounce fiberboard tubes, or 12/42-ounce fiberboard tubes.

B. Shipping containers must conform to Rule 41, as amended, of the Uniform Freight Classification (UFC) Rules and Regulations and must be constructed of a minimum 32-pound Edge Crush Test (ECT) corrugated fiberboard. 14-ounce cartons may be packed in shipping containers constructed of a minimum 29-pound ECT corrugated fiberboard. The shipping containers must be regular slotted containers.

C. The closure and sealing of outer flaps must be in accordance with UFC Rule 41, Section 9, as amended. The inner and outer flaps must be drawn together as closely as possible to ensure a compact and tight pack.

3.6 25-POUND BAGS

A. 25 pounds of product must be packed in multiwall paper bags constructed in accordance with Federal Specification UU-S-48, Type II or VI, Style A or B, as amended. The use of recycled materials is not required if performance or food safety is jeopardized.

B. The bag must have 3 walls having a minimum total basis weight of 150 pounds.

C. Alternatively, 25 pounds of product may be packed in bags constructed of woven polypropylene as specified in paragraph 3.9 or cotton as specified in paragraph 3.11.

3.7 50-POUND BAGS

A. 50 pounds of product must be packed in multiwall paper bags constructed in accordance with Federal Specification UU-S-48, Level C packing, as amended. The use of recycled materials is not required if performance or food safety is jeopardized.

B. The bags must be of a type normally used in commercial channels, constructed and closed in compliance with the applicable carrier rules and regulations.

C. Alternatively, 50 pounds of product may be packed in bags constructed of woven polypropylene as specified in paragraph 3.9 or cotton as specified in paragraph 3.11.

3.8 100-POUND BAGS

100 pounds of product must be packed in bags constructed of woven polypropylene as specified in paragraph 3.9, burlap as specified in paragraph 3.10, or cotton as specified in paragraph 3.11.

3.9 WOVEN POLYPROPYLENE BAGS

A. <u>Woven polypropylene fabric</u>

(1) The polymer used in the fabric must be 100 percent polypropylene.

(2) The color of the fabric must be white, beige, or buff, unless otherwise specified. Colored identifying marker yarn(s) must be woven into the fabric by the manufacturer. The color(s) of the marker yarn(s) must be approved, in writing, by DACO.

(3) The fabric in an unstressed state, must permit a minimum air flow of 3 cubic feet per minute per square foot and a maximum of 30 cubic feet per minute per square foot, when tested in accordance with ASTM Test Method D737-75, as amended.

(4) The fabric must be finished by coating or other suitable method to prevent slippage. Individual test results must be 30 degrees or greater, when tested in accordance with TAPPI Test Method T-503-OM-84, as amended. The fabric must accept and retain printing ink that will not rub or flake off to a degree where legibility is impaired.

(5) The fabric must be capable of resisting ultraviolet deterioration for a minimum of 200 hours of exposure in a weatherometer, when tested in accordance with Test Method 5804-Federal Standard 191, as amended. The fabric must retain 70 percent of its original minimum tensile strength in each direction, after 200 hours exposure, when tested in accordance with Test Method ASTM D 1682 (Grab Method), as amended.

B. Side-sewn style bags

(1) The fabric forming the top and bottom of the finished bag must have a tucked selvage or a natural selvage containing not less than the number of ends prevalent in the body of the fabric.

(2) Alternatively, one selvage may be heat cut and formed a minimum of 1 inch wide with a minimum of 20 warp threads per inch and having a pin test strength value not less than 30 pounds per inch.

(3) The finished fabric must weigh a minimum of 2.4 ounces per square yard and have a tensile strength average of 105 pounds in both the warp and fill directions, when tested in accordance with Test Method ASTM D 1682 (Grab Method), as amended. 10 samples must be tested in each direction for this determination. Individual test results must be 95 pounds or greater.

(4) The bags must have a selvage or hem at the top and bottom with raw or cut edges at the side seam. All finished bags must be turned so that the seams are inside. The seams must be constructed as follows:

a. The side seam must be constructed in accordance with Federal Standard 751a, SSd-1 Export Seam, as amended. The bottom seam must be constructed in accordance with Federal Standard 751a, SSa-1 Flat Seam or SSn-1 Single Turnover, as amended.

b. The combination of thread tensile strength and stitch frequency must be sufficient to break the fabric 8 out of 10 times when tensile tests, performed in accordance with Test Method ASTM D 1683, as amended, are made across the seam.

c. The fold back or fold over portion of the side seam must measure approximately 1 inch, but in no event less than 3/4 inch from the folded edge to the fabric edge. The stitch line must traverse within the center area of this fold over a portion no closer than 1/4 inch to either the fabric edge or folded edge at any point.

d. When a flat seam is used on the bottom, the stitching must not be closer than ½ inch to the fabric edge.

e. If a single fold over seam is used on the bottom, the fold must be between 3/4 and 1 inch. The stitching must not be closer than 1/4 inch to the folded edge.

C. Circular-woven style bags

The top and bottom of the bag must be heat cut or otherwise finished to prevent fraying or unraveling of the fabric during distribution. The bottom seam must be constructed in accordance with Federal Standard 751a, SSn-1 Single Turnover, as amended.

3.10 BURLAP BAGS

A. New burlap bags must be manufactured from first quality burlap fabric equivalent to 40 inch 10 ounce construction having a combined count (warp and filling) of a minimum of 23 threads per square inch.

B. Bags must have selvaged or hemmed tops, and all seams must be machine sewn.

C. The bottom seam must be constructed in accordance with Federal Standard 751a, SSa-1 Flat Seam, as amended, if fabric edges are selvaged. If fabric edges are raw, the bottom seam must be constructed in accordance with Federal Standard 751a, SSn-1 Single Turnover, as amended. False bottom seams with excess fabric extending from the bottom sewing line to the fabric edge are permitted to provide for proper finished bag dimensions when using burlap cloth having greater width than required to carry the stated quantity of the product.

D. The side seam must be constructed in accordance with Federal Standard 751a, SSa-1 Flat Seam, as amended, if fabric edges are selvaged. If fabric edges are raw, the side seam must be constructed in accordance with Federal Standard 751a, SSd-1 Export Seam, as amended.

E. Bags must be turned so that seams are inside.

3.11 COTTON BAGS

Cotton bags must be made from one of the following constructions, from sheeting normally used by the industry, produced and manufactured in the United States:

Construction	Count	Minimum Breakstrength
40" 2.50 yd. sheeting	48 x 48	68.2 lbs.
36" 2.85 yd. sheeting	48 x 48	68.2 lbs.
40" 2.11 yd. osnaburg	40 x 26	70.9 lbs.
36" 2.35 yd. osnaburg	40 x 26	70.9 lbs.

3.12 SEWING OF BAG SEAMS AND CLOSURES

A. All seams and closures of filled woven polypropylene, cotton, and burlap bags must be sewn in a manner which prevents the product from leaking through the seams and closures during handling, storage, and distribution.

B. The color of the sewing thread must be natural or white. The tensile strength of the sewn closures and sewn seams must not be less than the tensile strength of the fabric in the body of the bag.

3.13 PERFORMANCE TEST PROCEDURES

A. All woven polypropylene, cotton, and burlap bags must be capable of withstanding the following performance test for impact resistance:

(1) 10 filled and sealed bags must each survive a single drop test on the butt and side on a shock machine that produces for each test a velocity change of 195 inches per second using a shock duration of .002 seconds without loss of product.

(2) Testing must be conducted under standard temperature (73.4 ^{o}F plus or minus 1.8 ^{o} F) and relative humidity (50% plus or minus 2%) conditions.

(3) Filled bags must be placed in the conditioned atmosphere for sufficient time before the tests are conducted for the bag materials to come to equilibrium.

(4) Bags submitted under this performance specification must conform to all other applicable material, construction, and performance specifications.

B. Test Laboratories

Independent or private laboratories known to be capable of conducting the shock machine test described in paragraph 3.13 are as follows:

(1) Bemis Company, Inc.
P.O. Box 9066
Omaha, NE 68109
(402) 734-6262

(2) Lansmont Corporation
1287 Reamwood
Sunnyvale, CA 94089
(408) 734-9724

(3) Michigan State University
School of Packaging
East Lansing, MI 48824
(517) 355-9580

(4) Owens-Illinois, Inc.
P.O. Box 1035
Toledo, OH 43666
(419) 247-5000

(5) Rutgers University
Packaging Science and
Engineering Dept.
P.O. Box 909
Piscataway, NJ 08854
(908) 445-3224

(6) Ten-E Packaging
Services, Inc.
1666 County Road 74
Newport, MN 55055
(612) 459-0671

3.14 UNITIZATION REQUIREMENT

Unless otherwise specified by USDA, all shipments of packaged products must be unitized (palletized and stretchwrapped) as follows:

A. Pallets must be:

(1) Constructed to facilitate the safe handling, stacking, and transportation of the packaged product, as a unit, without loss or damage.

(2) 48 x 40 inches, four-way or partial four-way, and reversible or nonreversible flush stringer.

(3) Suitable for use in the shipment of food products.

B. Plastic stretchwrap must be:

(1) Constructed of a plastic film which is to be stretched a minimum of 50 percent beyond its original length when stretched around the pallet load.

(2) Applied as tightly as possible around all tiers of the palletized shipping containers. The shipping containers must be held firmly in place by the stretchwrap.

C. Pallet loads must be:

(1) Stacked in such a way as to minimize the amount that shipping containers overhang the edges of pallets. (While shipping containers may overhang the edges of pallets, contractors are reminded that they are responsible for the safe shipment and delivery of the product.)

(2) Blocked and braced or otherwise loaded into the conveyance in a manner that prevents shifting during transit.

3.15 COMMERCIAL PACKAGING AND MARKING REQUIREMENTS

A. In accordance with Article 60 of USDA-1, USDA's contractor will be liable if containers or packaging material do not meet contract requirements.

B. Container and packaging requirements are those used in the current commercial shipping practices and must comply with:

(1) Domestic Origin of containers and packaging materials in Part 2, Section 2.1, B and C of this appendix.

(2) Unitization requirement in Part 3, Section 3.14 of this appendix.

C. The marking and labeling for commercial products must be preserved, packaged, and labeled in accordance with good commercial practices.

D. At contractor's option, a statement such as "**NOT FOR RETAIL SALE**" may be printed on the principal display panel of the food label.

E. The manufacturer's lot code/lot identification number must be shown on the commercial bill of lading.

F. Shipping containers must be marked to show the maximum safe stacking height. It is the responsibility of the contractor in cooperation with the shipping container manufacturers to determine the safe stacking height.

PART 4. MARKING REQUIREMENTS

4.1 GENERAL REQUIREMENTS

A. Bags, fiberboard tubes, and paper balers must be plainly marked in accordance with the enclosed exhibits. All markings must be of sufficient size to stand out prominently. The markings must be arranged substantially as shown in the following exhibits and must be in direct proportion to the available printing surface. No markings are required on plastic balers.

B. All primary containers must contain the nutritional information of the product in accordance with applicable FDA nutritional labeling regulations.

4.2 FARINA, ROLLED OATS, ROLLED WHEAT, AND BULGUR

A. For packages 10 pounds or less, the base art must be in black ink. The overlays must be printed as follows:

(1) Farina: green ink similar to Pantone 361 C.

(2) Rolled oats: white ink.

(3) Rolled wheat: white ink.

(4) Bulgur: white ink.

B. The markings in the enclosed Exhibits C through R, illustrate base art only. In addition, the applicable nutritional information must be printed in the space provided.

4.3 VENDOR CODE

A vendor code, furnished by KCCO, must appear on all primary containers, corrugated fiberboard shipping containers, and paper balers. The vendor code identifies the vendor but does not always identify the plant of origin. In addition to the vendor code, vendors have the option of printing the plant code on all containers.

4.4 MONTH/YEAR OF PACK

A. The month/year of pack must appear on all primary containers having a net weight greater than 10 pounds and must appear on all primary containers, regardless of net weight, when transparent plastic balers are utilized.

B. The month/year of pack must appear on all corrugated fiberboard shipping containers and paper balers.

C. The month/year of pack must be the month/year of shipment as required under the contract.

D. A date fill code may be applied in addition to, but not in lieu of, the month/year of pack.

4.5 LOT CODE

A lot code unique to each lot offered for inspection must be legibly marked on all primary containers, corrugated fiberboard shipping containers, and paper balers. Commodity suppliers may use any type of lot coding system provided a unique code is used to identify each lot offered for inspection under a USDA contract. Commodity suppliers must provide the TQSA auditor or contracting officer with an explanation of the lot coding system utilized.

4.6 NUTRITIONAL INFORMATION

Nutritional information must be applied to all primary containers in accordance with the nutrition labeling regulations of the Food and Drug Administration (FDA) as specified in 21 CFR Part 101, as well as 50-pound processed cereal bags.

4.7 SAFE STACKING INSTRUCTIONS

Corrugated fiberboard shipping containers must be marked to show the maximum safe stacking height. This should be expressed as follows: "Do not stack above ___ tiers per pallet, ___ pallets high." It is the responsibility of the contractor in cooperation with the shipping container manufacturers to determine the safe stacking height.

4.8 CARRIER REGULATIONS

Containers may be marked with a certification or stamp to indicate compliance with the applicable freight classification or other carrier shipping requirements.

4.9 UNIVERSAL PRODUCT CODE

A. A Universal Product Code (UPC) and symbol must appear on each primary package, and a UPC shipping container code called Interleaved 2 of 5 (I 2/5) must appear on each shipping container as specified below. In accordance with the UPC guidelines published by the Uniform Code Council, Incorporated, a 12-digit UPC (code and symbol) must appear on each primary package and a 14-digit I 2/5 bar code must appear on each shipping container. For contrast in scanning, a white patch or block must be used as background for bar codes applied directly to metal containers. A high degree of contrast is required for bar codes applied directly to plastic containers. The UPC guidelines describe the requirements for the proper placement, printing, readability, and scanability for bar coding.

B. The format and code to be used is as follows:

COMMODITY	PACK SIZE	PRIMARY CONTAINER CODE	SHIPPING CONTAINER CODE
Farina	14-ounce	7 15001 02160 0	1 07 15001 02160 8
Rolled Oats	42-ounce	7 15001 02437 4	1 07 15001 02437 1
Rolled Oats	3-pound	7 15001 02440 4	1 07 15001 02440 1
Rolled Wheat	3-pound	7 15001 02171 7	1 07 15001 02171 4
Rolled Wheat	10-pound	7 15001 02172 4	1 07 15001 02172 1

C. The complete code including the check digit (the last digit of the applicable UPC code) must be printed in machine-readable and human-readable form. The start and stop indicators must be included in the bar code symbols. The UPC system is a commonly used method of bar coding merchandise in commercial channels. Package manufacturers, printers, and film master suppliers are familiar with this symbology. USDA has acquired a unique manufacturer's identification number for this application.

D. Further information concerning UPC codes and symbols may be obtained by contacting the:

Uniform Code Council, Inc. (UCC)
8163 Old Yankee Road, Suite J
Dayton, OH 45458
√. . Phone (937) 435-3870. .√

Contractors need not join the UCC.

4.10 KOSHER CERTIFICATION

"Kosher Only" products will be identified in the invitation. Offerors must not bid on these products unless they are properly certified to produce Kosher products. If an offeror bids on products identified as "Kosher Only," they shall provide a letter to the consignee certifying compliance with applicable Kosher dietary laws.

4.11 RECYCLE SYMBOLS

A. The contractor must place the recycle symbol and the words "PLEASE RECYCLE" somewhere on the surface of each primary and shipping container which is widely recycled. By "widely recycled," it is meant recycled in most communities. The words "PLEASE RECYCLE" are to be placed under the recycle symbol. The following USDA packaging materials are widely recycled and should be marked with the symbol and statement in accordance with Exhibit R:

(1) Corrugated fiberboard (cardboard) boxes

(2) Steel (tin) cans

(3) High density polyethylene (e.g., vegetable oil and liquid shortening bottles)

B. Packaging materials which are not required under the contract to be printed (e.g., certain plastic pouches, bags, and stretch films) need not be marked even though they can be recycled in many communities.

4.12 CERTIFICATION OF COMPLIANCE

A C.O.C. may be printed on each individual container. When printed on the container, the C.O.C. must be applied in accordance with paragraph 2.2 of this appendix.

4.13 OTHER MARKINGS

A. The contractor's company name and/or the container manufacturer's name may be printed on each container as small as possible, yet legibly.

B. On exhibits where U.S. RDA Percentages are required, it is acceptable for the contractor to place an asterisk beside the nutrient(s) and to footnote on the panel "* content less than 2% U.S. RDA of these nutrients."

C. No markings other than those permitted under this appendix shall appear on containers unless required or approved by USDA.

4.14 CONTAINERS WITH INCORRECT MARKINGS

A. Containers displaying incorrect markings may be used provided that the incorrect markings are obliterated and correct markings are applied in a permanent manner.

B. The contractor must take necessary action, in accordance with USDA-1, Article 62, to prevent the appearance in commercial or other channels of containers and container materials, bearing markings required under the contract, including those held by the contractor or others; e.g., overruns.

MARKINGS REQUIRED ON 14 OZ. CHIPBOARD CARTONS

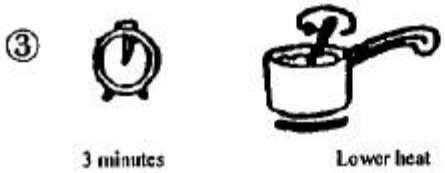
BACK PANEL

FARINA

Quick and Easy to Cook

Heat 1 cup of water to boiling.
Add a pinch of salt (except for babies).

Sprinkle in 3 tablespoons Farina.



Lower to medium heat. Cook 3 minutes, stirring as needed to keep Farina from sticking.
Makes about 1 cup.

SIDE PANEL

FOR BABIES: Mix cooked Farina with milk or formula. Follow your doctor's advice on infant feeding.

FOR CHILDREN AND ADULTS: Serve cooked Farina with milk and sugar.

Store in a cool dry place

FRONT PANEL

ENRICHED

FARINA

A Quick Cooking Wheat Cereal

GOOD FOR BABIES CHILDREN AND ADULTS

Distributed by USDA in cooperation with State and local or tribal governments for domestic food assistance programs

NOT TO BE SOLD OR EXCHANGED

Net Weight - 14 oz.

SIDE PANEL

Insert nutritional information in accordance with the nutrition labeling regulations of the Food and Drug Administration (FDA) as specified in 21 CFR Part 101.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS

MARKINGS REQUIRED ON SHIPPING CONTAINERS

BOTH SIDE PANELS	BOTH END PANELS
DISTRIBUTED BY USDA IN COOPERATION	FARINA, ENRICHED
WITH STATE AND LOCAL OR TRIBAL	QUICK COOKING
GOVERNMENTS FOR DOMESTIC FOOD	MONTH/YEAR _____ 1/
ASSISTANCE PROGRAMS	2/ _____ OZ. CARTONS
NOT TO BE SOLD OR EXCHANGED	NET WEIGHT_____LBS. 3/
	STORE IN A COOL, DRY PLACE
	USE NO HOOKS

The words "Farina, Enriched" shall be in letters at least 3/4 inch high. The USDA symbol, Exhibit Q, shall be shown underneath the markings on the side panels. The symbol, in addition to all other printing or stenciling, shall be centered and of sufficient size to stand out prominently. For identification, insert in a conspicuous place the company code number which will be furnished by the Kansas City Commodity Office.

NOTE: ALL LETTERING SHALL BE IN BLUE INK ONLY.

1/ The month and year of pack shall be the contract shipment month.

2/ Insert 12/14 or 24/14, as applicable.

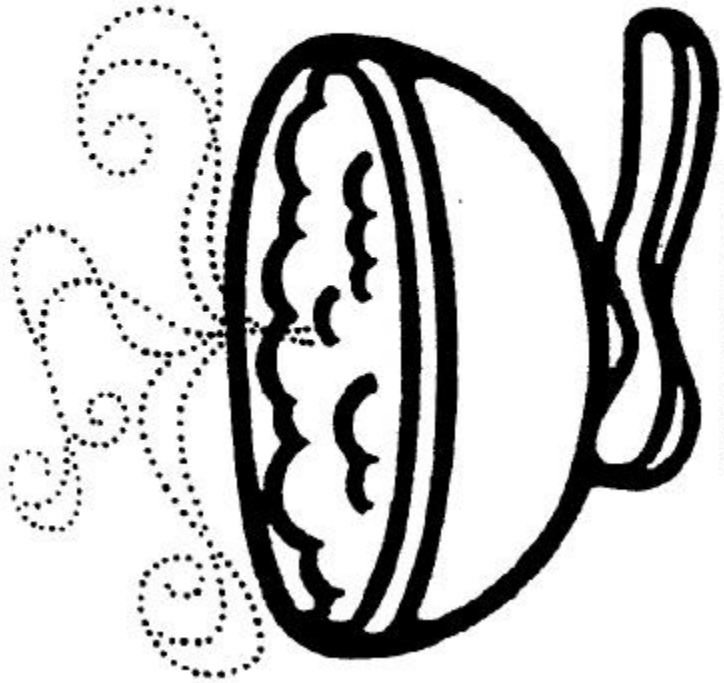
3/ Insert 10.5 or 21, as applicable.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS

FRONT PANEL

QUICK COOKING

ROLLED OATS (OATMEAL)



Distributed by USDA in cooperation with State and local or tribal governments for domestic food assistance programs

NOT TO BE SOLD OR EXCHANGED

Net Weight - 3 POUNDS

SIDE PANEL

USDA FOOD

Serve hot Oatmeal for breakfast with milk and sugar. Rolled Oats may also be used in breads, muffins, pancakes, cakes, cookies, fruit desserts, meat loaves and patties.

Store in a cool, dry place. After opening keep unused Rolled Oats in a tightly covered container.

Insert nutritional information in accordance with the nutrition labeling regulations of the Food and Drug Administration (FDA) as specified in 21 CFR Part 101.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS

CONTINUATION OF MARKING REQUIREMENTS FOR 3-LB. PACKAGES

BACK PANEL

COOKED ROLLED OATS (OATMEAL)

1 teaspoon salt
4 cups water
2 cups uncooked quick rolled oats

Add salt to water and heat to boiling.
Slowly pour and stir in rolled oats. Cook slowly for one minute, stirring to keep from sticking.
Remove from heat. Cover and let stand a few minutes before serving.
Makes 6 servings, 2/3 cup each.

OATMEAL-RAISIN MUFFINS

1-1/4 cups flour
1 tablespoon baking powder
1 teaspoon salt
1/3 cup sugar
1 cup uncooked quick rolled oats
1/2 cup raisins
1 egg
1 cup fluid milk
1/3 cup melted fat or oil

Mix flour, baking powder, salt, and sugar in a large bowl. Stir in rolled oats and raisins.
Beat egg and add milk. Add fat or oil. Set aside.
Add milk mixture to flour mixture. Stir just until dry ingredients are wet, leaving batter lumpy.
Fill greased muffin pans half full.
Bake at 400°F (hot oven) 20 to 25 minutes until muffins are browned.
Makes 12 muffins.

CHEESE-MEAT LOAF

1 small onion
1 pound ground beef
1/2 cup fluid milk
1 egg
1 teaspoon salt
3/4 cup uncooked quick rolled oats
1/2 cup cut-up cheese

Chop onion.
Mix all ingredients well. Shape in a loaf in a baking pan.
Bake at 350°F (moderate oven) about 1 hour until browned.
Makes 6 servings.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS

MARKINGS REQUIRED ON 18 ... D 42-OZ. FIBERBOARD TUBES

QUICK COOKING

ROLLED OATS (OATMEAL)

Distributed by USDA in cooperation with State and local or tribal governments for domestic food assistance programs

NOT TO BE SOLD OR EXCHAGED

Net Weight - 1/

COOKED ROLLED OATS (OATMEAL)

1 teaspoon salt
4 cups water
2 cups uncooked quick rolled oats

Add salt to water and heat to boiling.
Slowly pour and stir in rolled oats. Cook slowly for one minute, stirring to keep from sticking. Remove from heat. Cover and let stand a few minutes before serving.
Makes 6 servings, 2/3 cup each.

OATMEAL-RAISIN MUFFINS

1 1/4 cups flour
1 tablespoon baking powder
1 teaspoon salt
1/3 cup sugar
1 cup uncooked quick rolled oats
1/2 cup raisins
1 egg
1 cup fluid milk
1/3 cup melted fat or oil

Mix flour, baking powder, salt, and sugar in a large bowl. Stir in rolled oats and raisins.
Beat egg and add milk. Add fat or oil. Set aside.
Add milk mixture to flour mixture. Stir just until dry ingredients are wet, leaving batter lumpy.
Fill greased muffin pans half full.
Bake at 400°F (hot oven) 20 to 25 minutes until muffins are browned.
Makes 12 muffins.

CHEESE MEAT LOAF

1 small onion
1 pound ground beef
1/2 cup fluid milk
1 egg
1 teaspoon salt
3/4 cup uncooked quick rolled oats
1/2 cup cut-up cheese

Chop onion.
Mix all ingredients well. Shape in a loaf in a baking pan.
Bake at 350°F (moderate oven) about 1 hour until browned.
Makes 6 servings.

Serve hot Oatmeal for breakfast with milk and sugar. Rolled Oats may also be used in breads, muffins, pancakes, cakes, cookies, fruit desserts, meat loaves and patties.

Store in a cool, dry place. After opening, keep unused Rolled Oats in a tightly covered container.

Insert nutritional information in accordance with the nutrition labeling regulations of the Food and Drug Administration (FDA) as specified in 21 CFR Part 101.

1/ Insert 18-oz. (1-lb. 2-oz.) or 42 oz. (2-lbs. 10-oz.), as applicable

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS

MARKINGS REQUIRED ON 36-LB. DOMESTIC SHIPPING CONTAINERS

FRONT PANEL	SIDE PANELS
ROLLED OATS (QUICK COOKING) (OATMEAL) DISTRIBUTED BY USDA IN COOPERATION WITH STATE AND LOCAL OR TRIBAL GOVERNMENTS FOR DOMESTIC FOOD ASSISTANCE PROGRAMS NOT TO BE SOLD OR EXCHANGED STORE IN A COOL, DRY PLACE (12/3-LB. PACKAGES) NET WEIGHT -36 LBS. (MONTH/YEAR_____ 1/ USE NO HOOKS	(TO BE PRINTED ALONG THE LENGTH OF THE CONTAINER) ROLLED OATS (OATMEAL)

Markings are to be arranged substantially as shown in this exhibit and shall be in direct proportion to the available printing surface. Spacing shall be such that each element stands out prominently. The USDA symbol, Exhibit Q, is to be placed on the reverse side of the container. The symbol shall be of sufficient size to stand out prominently.

NOTE: ALL LETTERING SHALL BE IN RED OR BLACK INK ONLY.

For identification, insert in a conspicuous place a company code number which will be furnished by the Kansas City Commodity Office.

1/ The month and year of pack shall be the contract shipment month.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS.

MARKINGS REQUIRED ON 27 AND 31.5-LB. (FIBERBOARD TUBES) SHIPPING CONTAINERS

BOTH SIDE PANELS	**BOTH END PANELS**
DISTRIBUTED BY USDA IN COOPERATION	ROLLED OATS (QUICK COOKING)
WITH STATE AND LOCAL OR TRIBAL	(OATMEAL)
GOVERNMENTS FOR DOMESTIC FOOD	MONTH/YEAR _____ 1/
ASSISTANCE PROGRAMS	2/ _____ OZ. PACKAGES
NOT TO BE SOLD OR EXCHANGED	NET WEIGHT_____LBS. 3/
	STORE IN A COOL, DRY PLACE
	USE NO HOOKS

The USDA symbol, Exhibit Q, shall be shown underneath the markings on the side panels. The symbol, in addition to all other printing or stenciling, shall be centered and of sufficient size to stand out prominently. Markings shall be arranged substantially as shown.

For identification, insert in a conspicuous place the company code number which will be furnished by the Kansas City Commodity Office.

NOTE: ALL LETTERING SHALL BE IN RED OR BLACK INK ONLY.

1/ The month and year of pack shall be the contract shipment month.

2/ Insert 24/18-oz. or 12/42 oz., as applicable.

3/ Insert 27 or 31.5, as applicable.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS

MARKINGS REQUIRED ON 25- OR 50-LB. DOMESTIC PAPER BAGS

FRONT PANEL

ROLLED OATS (QUICK COOKING)

(OATMEAL)

DISTRIBUTED BY USDA IN COOPERATION

WITH STATE AND LOCAL OR TRIBAL GOVERNMENTS

FOR DOMESTIC FOOD ASSISTANCE PROGRAMS

NOT TO BE SOLD OR EXCHANGED

STORE IN A COOL, DRY PLACE

NET WEIGHT_____ 1/

(MONTH/YEAR_____ 2/

USE NO HOOKS

SIDE PANELS

(TO BE PRINTED ALONG THE LENGTH OF THE BAG)

ROLLED OATS (OATMEAL)

Insert nutritional information in accordance with the nutrition labeling regulations of the Food and Drug Administration (FDA) as specified in 21 CFR Part 101.

BACK PANEL

Prepare rolled oats as specified below and serve as a breakfast cereal with milk and sugar. Rolled oats may also be used in breads, muffins, pancakes, cakes, cookies; as a topping for crisps and cakes; as an extender in meat loaves, meat patties, and casseroles.

TO COOK ROLLED OATS (Quick Cooking)

INGREDIENTS	WEIGHTS	FOR 50 PORTIONS MEASURES
Rolled Oats	2-1/4 pounds	3 quarts 2-1/2 cups
Salt	3/4 ounce	1-1/2 tablespoons
Boiling Water		2 gallons

Yield: 13-3/4 pounds (about 1-1/2 gallons)
Portion: 1/2 cup cooked oatmeal
Directions: Slowly stir rolled oats into boiling, salted water in a heavy stockpot or steam-jacketed kettle. Boil 1 minute stirring occasionally. Cover. Let stand a few minutes.

The USDA symbol, Exhibit Q, is to be placed underneath the markings on the front panel and shall be as large as possible. The markings shall be arranged substantially as shown in this exhibit. The markings shall be centered, and the spacing and size of the printing shall be such that each element stands out prominently.

NOTE: ALL LETTERING SHALL BE IN RED INK, EXCEPT BLACK INK IS PERMITTED ON 50-LB BAGS. For identification, insert in a conspicuous place, a company code number which will be furnished by the Kansas City Commodity Office. Nutritional information must also appear on 50-pound bags.

1/ Insert 25-POUNDS or 50-POUNDS, as applicable.
2/ The month and year of pack shall be the contract shipment month.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS

MARKINGS REQUIRED ON 3- AND 10-LB. PACKAGES

SIDE PANEL

Cook Rolled Wheat cereal for breakfast and serve with milk and sugar. Rolled Wheat can also be used in bread, muffins, pancakes, cakes and cookies, fruit desserts, meat loaves and patties.

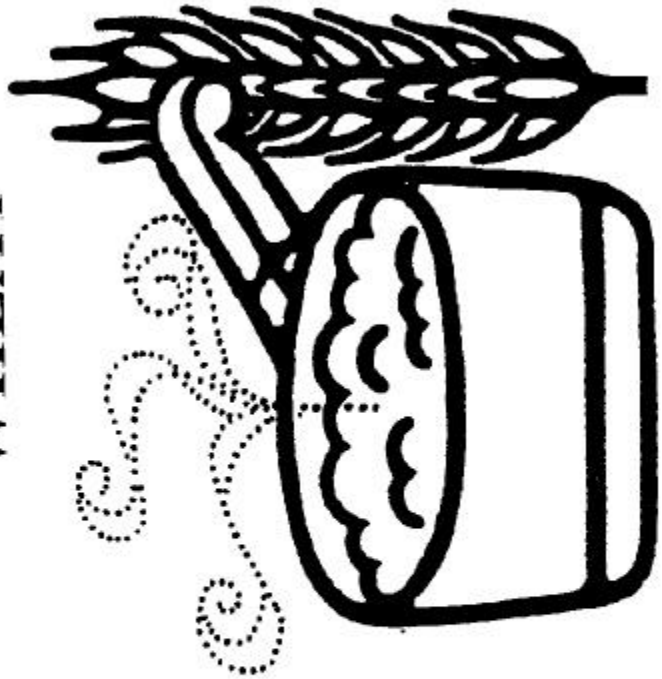
Store in a cool, dry place. After opening, keep unused Rolled Wheat in a tightly covered container.

Insert nutritional information in accordance with the nutrition labeling regulations of the Food and Drug Administration (FDA) as specified in 21 CFR Part 101.

FRONT PANEL

QUICK COOKING

ROLLED WHEAT



Serving Suggestion

Distributed by USDA in cooperation with State and local or tribal governments for domestic food assistance programs

NOT TO BE SOLD OR EXCHANGED

NET WEIGHT - 1/ POUNDS

1/ Insert 3 or 10, as applicable

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS.

CONTINUATION OF MARKING REQUIREMENTS FOR 3- AND 10-LB. PACKAGES

COOKED ROLLED WHEAT

1 teaspoon salt
1 quart (4 cups) water
2 cups uncooked quick rolled wheat

Add salt to water and heat to boiling.
Slowly pour and stir in rolled wheat. Lower heat, cover and cook about 3 minutes until thickened.
Remove from heat. Cover pan and let stand a few minutes before serving.
Makes 4 cups cooked rolled wheat.

MEAT PATTIES IN GRAVY

1 small onion
1/2 green pepper
1 pound ground beef
3/4 cup uncooked quick rolled wheat
1 teaspoon salt
1/3 cup fluid milk
2 tablespoons flour
1 cup water

Chop onion and green pepper.
Mix ground beef, rolled wheat, salt, and milk. Shape into 12 thin patties
Cook patties on a heated greased fry pan until browned on both sides. Remove from pan.
Drain most of fat from pan. Stir in flour, onion, and green pepper.
Slowly stir in water. Cook and stir about 3 minutes until thickened.
Put patties into gravy and heat.
Makes 6 servings, 2 patties each.

ROLLED WHEAT COOKIES

1/2 cup fat (margarine or butter)
1/2 cup white sugar
1/2 cup brown sugar, packed
2 eggs
1-1/2 cups flour
1 teaspoon baking soda
1/2 teaspoon salt
1 or 2 teaspoons cinnamon
1-1/2 cups uncooked quick rolled wheat

Mix fat and both kinds of sugar.
Add eggs and beat well.
Mix in flour, baking soda, salt, and cinnamon.
Stir in rolled wheat.
Let dough stand 20 minutes or chill several hours in refrigerator.
Drop dough from a teaspoon on a greased baking pan.
Bake at 375°F (moderate oven) about 10 minutes until lightly browned.
Makes about 4 dozen cookies.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS

MARKINGS REQUIRED ON 36- AND 40-LB. DOMESTIC SHIPPING CONTAINERS

FRONT PANEL	SIDE PANELS
ROLLED WHEAT (QUICK COOKING)	(TO BE PRINTED ALONG THE LENGTH OF THE CONTAINER)
DISTRIBUTED BY USDA IN COOPERATION	
WITH STATE AND LOCAL OR TRIBAL GOVERNMENTS	ROLLED WHEAT
FOR DOMESTIC FOOD ASSISTANCE PROGRAMS	
NOT TO BE SOLD OR EXCHANGED	
STORE IN A COOL, DRY PLACE	
NET WEIGHT _____ 1/	
(MONTH/YEAR_____ 2/	
USE NO HOOKS	

Markings are to be arranged substantially as shown in this exhibit. Spacing shall be such that each element stands out prominently. The USDA symbol, Exhibit Q, is to be placed on the reverse side of the container. The symbol shall be of sufficient size to stand out prominently.

NOTE: ALL LETTERING SHALL BE IN RED INK ONLY.

For identification, insert in a conspicuous place, a company code number which will be furnished by the Kansas City Commodity Office.

1/ Insert 36- or 40-lbs., as applicable.

2/ The month and year of pack shall be the contract shipment month.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS.

MARKINGS REQUIRED ON 25- AND 50-LB. DOMESTIC PAPER BAGS

FRONT PANEL

ROLLED WHEAT (QUICK COOKING)

DISTRIBUTED BY USDA IN COOPERATION

WITH STATE AND LOCAL OR TRIBAL GOVERNMENTS

FOR DOMESTIC FOOD ASSISTANCE PROGRAMS

NOT TO BE SOLD OR EXCHANGED

STORE IN A COOL, DRY PLACE

NET WEIGHT_____ 1/

(MONTH/YEAR_____ 2/

USE NO HOOKS

SIDE PANELS

(TO BE PRINTED ALONG THE LENGTH OF THE BAG)

ROLLED WHEAT

Insert nutritional information in accordance with the nutrition labeling regulations of the Food and Drug Administration (FDA) as specified in 21 CFR Part 101.

BACK PANEL

Prepare rolled wheat as specified below and serve as a breakfast cereal with milk and sugar. Rolled wheat may also be used in breads, muffins, pancakes, cakes, cookies, rolls; as a topping for crisps and cakes; and as an extender in meat loaves, meat patties, and casseroles.

TO COOK ROLLED WHEAT (Quick Cooking)

INGREDIENTS	WEIGHTS	FOR 50 PORTIONS MEASURES
Rolled Wheat	3-3/4 pounds	1-1/4 gallons
Salt	1 ounce	2 tablespoons
Boiling Water		1 gallon - 3-1/2 quarts

Yield: 14 pounds (about 1-1/2 gallons)
Portion: 1/2 cup cooked rolled wheat

DIRECTIONS: TOP OF RANGE METHOD: Stir rolled wheat into boiling, salted water in a saucepan or stockpot. Boil, stirring occasionally, for 20 minutes.
STEAM-JACKETED KETTLE METHOD: Stir rolled wheat into boiling, salted water in steam-jacketed kettle. Boil, stirring occasionally, for 20 minutes.

Markings are to be arranged substantially as shown in this exhibt and shall be in direct proportion to the available printing surface. Spacing shall be such that each element stands out prominently. The USDA symbol, Exhibit Q, is to be placed on the reverse side of the bag. The symbol shall be of sufficient size to stand out prominently.

NOTE: ALL LETTERING SHALL BE IN BLACK INK ONLY.
For identification, insert in a conspicuous place, a company code number which will be furnished by the Kansas City Commodity Office. Nutritional information must also appear on 50-pound bags.

1/ Insert 25-POUNDS or 50-POUNDS, as applicable.
2/ The month and year of pack shall be the contract shipment month.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS.

MARKINGS REQUIRED ON 25- AND 50-LB. DOMESTIC PAPER BAGS

FRONT PANEL

BULGUR

DISTRIBUTED BY USDA IN COOPERATION

WITH STATE AND LOCAL OR TRIBAL GOVERNMENTS

FOR DOMESTIC FOOD ASSISTANCE PROGRAMS

NOT TO BE SOLD OR EXCHANGED

STORE IN A COOL, DRY PLACE

NET WEIGHT_____ 1/

(MONTH/YEAR_____ 2/

USE NO HOOKS

SIDE PANELS

(TO BE PRINTED ALONG THE LENGTH OF THE BAG)

BULGUR

Insert nutritional information in accordance with the nutrition labeling regulations of the Food and Drug Administration (FDA) as specified in 21 CFR Part 101.

BACK PANEL

Bulgur must be cooked before use in most recipes. Prepare bulgur as specified and serve as a side dish with meat, poultry, or fish. Cooked bulgur is also good to use in casserole dishes, breads, and desserts. Add bulgur to soups and stews for extra nourishment and a "new" taste.

COOKING BULGUR

Bread Alternate	100 Servings		Cereal Products
Ingredients	**Weights**	**Measures**	**Directions**
Bulgur	5 lb 8-oz	1 gal, 2 cups	1. Place 2 lb 12-oz (about 1-1/4 qt) bulgur in each of 2 baking pans (about 12 by 20 by 2 inches).
Salt	1-1/2 oz	2-1/2 teasp	2. Add salt to boiling water. Pour 3-3/4 qt. over bulgur in each pan.
Boiling Water		1 gal, 3-1/2 qt	3. Cover pan tightly.
			4. Bake at 350°F (moderate oven) or steam at 5-lb pressure for 25 minutes.
			5. Remove from oven or steamer and let stand covered 5 minutes.

SERVING: 1/2 cup - provides a serving of bread

1/ Insert 25-POUNDS or 50-POUNDS, as applicable.
2/ The month and year of pack shall be the contract shipment month.

Woven polyproplylene bags are not required to have "Bulgur" printed on the side panels of the bag.
Note: Nutritional information must also appear on 50-pound bags.

MARKINGS REQUIRED ON 2- AND 10-POUND PAPER BAGS

SIDE PANEL

MEAT AND BULGUR BAKE

1/2 small onion
1/2 green pepper
1 - 1/2 cups cooked bulgur
3/4 cup cut-up cheese
2 - 1/2 cups cut-up luncheon meat
2 eggs
1 - 1/2 cups fluid milk

Chop onion and green pepper.
Mix onion, green pepper, bulgur, cheese, and meat in a baking pan. Set aside.
Beat eggs and add milk. Pour over bulgur mixture.
Bake at 350°F (moderate oven) about 40 minutes until a knife stuck in the center comes out clean.
Makes 6 servings, 1 cup each.

FRONT PANEL

CRACKED WHEAT

BULGUR

Distributed by USDA in cooperation with State and local or tribal governments for domestic food assistance programs

NOT TO BE SOLD OR EXCHANGED

NET WEIGHT - 1/

SIDE PANEL

Cracked Wheat Bulgur cooks quickly. It has a nut-like flavor. Use Bulgur- As a hot cereal. As a side dish with meat and fish. In a casserole with hamburger and tomatoes. In a meat loaf.

Other Ways to Serve Bulgur

Serve cooked hot Bulgur with spaghetti sauce, meat sauce, hamburger in gravy, etc.
Add cooked Bulgur to soups, stews, and vegetables.
Serve fresh or canned fruit on hot or cold cooked Bulgur.
Add cut-up cheese to hot cooked Bulgur.
Cook dried fruit, such as raisins, and Bulgur together.

After opening, keep unused Bulgur in a tightly covered container.
Store in a cool, dry place.

Insert nutritional information in accordance with the nutrition labeling regulations of the Food and Drug Administration (FDA) as specified in 21 CFR Part 101.

1/ Insert 2- or 10 lbs., as applicable.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS

CONTINUATION OF MARKING REQUIREMENTS FOR 2- AND 10-LB. PAPER BAGS

BACK PANEL

COOKED BULGUR

2 cups water
1/2 teaspoon salt
1 cup uncooked bulgur

Heat water to boiling. Add salt. Stir in bulgur.
Lower heat. Cover and cook about 20 minutes
until bulgur is tender.
Makes about 3 cups cooked bulgur.

BULGUR PILAF

1 small onion
2 tablespoons fat
2-1/4 cups beef or chicken broth or water (see Note)
1/2 teaspoon salt
1 cup uncooked bulgur

Chop onion.
Melt fat in pan. Add onion. Cook and stir until onion is tender.
Add broth or water and salt. Heat to boiling.
Stir in bulgur. Lower heat. Cover and cook about 20 minutes
until bulgur is tender.
Makes 6 servings. 1/2 cup each.

NOTE: 2 beef or chicken bouillon cubes in 2-1/4 cups water may be used in place of beef or chicken broth.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS.

MARKINGS FOR SHIPPING CONTAINERS FOR 2- AND 10-LB. PACKAGES

FRONT PANEL	SIDE PANELS
BULGUR DISTRIBUTED BY USDA IN COOPERATION WITH STATE AND LOCAL OR TRIBAL GOVERNMENTS FOR DOMESTIC FOOD ASSISTANCE PROGRAMS **NOT TO BE SOLD OR EXCHANGED** STORE IN A COOL, DRY PLACE NET WEIGHT_____ 1/ (MONTH/YEAR)_____ 2/ _____ LB. BAGS 3/ USE NO HOOKS	(TO BE PRINTED ALONG THE LENGTH OF THE CONTAINER) **BULGUR**

The USDA symbol, Exhibit Q, is to be placed on at least one side of the baler or corrugated fiberboard shipping container.

NOTE: ALL LETTERING SHALL BE IN RED OR BLACK INK ONLY.

1/ Insert 40- or 48 lb., as applicable.

2/ Month and year of pack shall be the contract shipment month.

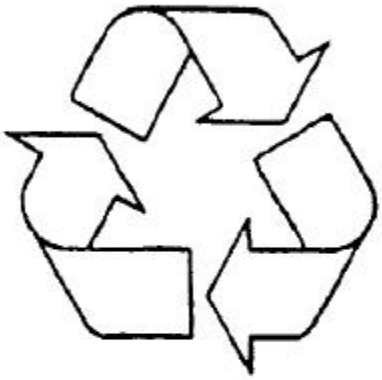
3/ Insert 24/2 or 4/10, as applicable.

SEE PART 4 OF THIS APPENDIX FOR CONTINUATION OF MARKING REQUIREMENTS.

USDA SYMBOL

EXHIBIT R

RECYCLABLE SYMBOL



PLEASE RECYCLE

PLASTIC MATERIALS CODE SYSTEM

CODE	MATERIAL
1 PETE	Poly-Ethylene Terephthalate (PET)
2 HDPE	High Density Polyethylene
3 V	Vinyl / Polyvinyl Chloride (PVC)
4 LDPE	Low Density Polyethylene
5 PP	Polypropylene
6 PS	Polystyrene
7 OTHER	All Other Resins

UNITED STATES
DEPARTMENT OF
AGRICULTURE

KANSAS CITY
COMMODITY OFFICE
P.O. BOX 419205
KANSAS CITY, MO 64141-6205

APPENDIX 3

Commercial Item Description

Cereals, Wheat, Quick-Cooking, A-A-20108A dated September 25, 1997

ANNOUNCEMENT PC6

http://www.ams.usda.gov/fqa/cidbread.htm

UNITED STATES
DEPARTMENT OF
AGRICULTURE

KANSAS CITY
COMMODITY OFFICE
P.O. BOX 419205
KANSAS CITY, MO 64141-6205

APPENDIX 4

Commercial Item Description

Cereals, Rolled Oats, A-A-20090B dated September 20, 1996

ANNOUNCEMENT PC6

http://www.ams.usda.gov/fqa/cidbread.htm