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Programs

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Specialty
Crops
Program

Commodity Specification for Shelled Tree Nuts

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Commodity Specification for Shelled Tree Nuts
Table of Contents

General	1
U.S. Standards.....	1
Exceptions to U.S. Standards.....	1
Product Origin.....	1
Packing Season.....	2
Grade of Shelled Tree Nuts.....	2
Labels and Packaging	2
Primary Containers (Packages and Labeling).....	2
Secondary Containers (case) for Commercial Labels.....	3
Secondary Containers (case) for Non-Commercial Labels.....	3
Universal Product Codes (UPC)	4
Palletization Requirements	4
Pallets.....	4
Unitization.....	4
Sampling.....	4
Individual Commodity Specifications	4
Shelled Almonds.....	4
Shelled Walnuts.....	6
Pistachio Nuts in the Shell.....	7
Inspection and Checkloading	8
Requirements.....	8
Procedures.....	8
Failure to Meet Specifications	8
Exhibits	10
Exhibit 1 - Required Markings for Non-Commercial Shipping Containers.....	10
Exhibit 2 - Alternative Label for Shipping Containers.....	11
Exhibit 3 - Sample Alternative Label for Shipping Containers.....	12
Exhibit 4 - Universal Product Codes.....	13
Exhibit 5 - “Please Recycle” Symbol and Statement.....	14
Exhibit 6 - “Corrugated Recycles” Symbol and Statement.....	15
Exhibit 7 - USDA Symbol.....	16

GENERAL

U.S. Standards

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

Exceptions to U.S. Standards

Additional exceptions may be specified in the applicable Solicitation/IFB. Any exceptions contained in the applicable Solicitation/IFB shall have precedence over the requirements contained herein, for that Solicitation/IFB only.

Product Origin

1. Commodities delivered pursuant to this Commodity Specification shall have originated from crops that have been 100 percent grown, processed, and packed in the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Trust Territories of the Pacific Islands, (hereinafter referred to as the United States). See the Master Solicitation.
2. If the contractor handles any commodity originating from sources other than the United States, the contractor must have a written plan to segregate the commodity. This segregation plan will include an identification and record system for all commodities to ensure they are completely segregated and cannot be used to fulfill purchase orders awarded by USDA. Such segregation plan must be made available, within 10 days of purchase order award, to representatives of the Agricultural Marketing Service (AMS).
3. The contractor must maintain positive written documentation records evidencing 100 percent domestic origin to the grower level. Contractors must also ensure that the documentation provided by any subcontractors demonstrates the same level of traceability. The burden of proof of compliance is on the contractor.
4. Documentation may include load or warehouse storage receipts for raw product (i.e., bin tags), product blend (formulation) records, product coding explanations, finished product warehousing records, shipping or payment records, or other documentation or evidence that clearly establishes the product's domestic origin.
5. Contractors must provide the domestic origin certification and supporting documentation records to representatives of the AMS, Specialty Crops Program, Specialty Crops Inspection (SCI) Division (USDA Inspector) when requesting inspection service. USDA Inspectors will select and review at least one code for each

purchase order or contract to determine compliance with the Agency's domestic origin requirements.

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

Packing Season

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

Grade of Shelled Tree Nuts

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

LABELS AND PACKAGING

Primary Containers (Packages and Labeling)

1. Vendors have the option to use commercial labeling and packaging which meets all applicable FDA requirements and contains a code which allows traceability of the product in the event of a recall or they may use non-commercial packaging and labeling as specified in the Master Solicitation.
2. The processors' own commercially acceptable "brand" labels may be used on all Solicitations/IFBs. Distributor's "brand" labels are not acceptable.
3. All products must be packed in new, commercially acceptable primary containers (packages). Shelled tree nuts shall be packed only in the container size and type specified in the applicable Solicitation/IFB. The primary package must be suitably code marked so that the product can be identified with related inspection certificates.
4. Product packed in bags must be effectively heat sealed.
5. For packages **3 pounds or less**, labels must also meet the following formatting criteria:

- a. Must include, at a minimum, Two (2) colors, in addition to black and or white.
- b. Must incorporate a graphic (photo or illustration) depicting the product/contents on the principal display panel if the packages are not clear or contain an adequate viewing window.
- c. Suitably code marked so that the product can be identified with related inspection certificates.

Secondary Containers (case) for Commercial Labels

1. Primary containers shall be further enclosed within new, corrugated fiberboard cartons (cases) acceptable by common or other carriers for safe storage and transportation to destinations.
2. Case flaps, gaps, and other openings may not exceed 1 inch and must be fully sealed with tape. The tape used must be clear and of commercially acceptable width and strength. The tape must extend at least two inches down the sides or ends.
3. Mixing and matching of commercial and non-commercial labeling methods will not be acceptable.
4. Two or more different commercial labels will not be acceptable within a shipping unit (truck load).

Secondary Containers (case) for Non-Commercial Labels

Packages with non-commercial labels shall be further enclosed within new, corrugated fiberboard cartons (cases) acceptable by common or other carriers for safe transportation to destinations. Flaps, gaps and other openings may not exceed 1 inch and must be fully sealed with tape. The tape used, must be clear and of commercially acceptable width and strength. The tape must extend at least two inches down the sides or ends.

Cases must be marked in such a manner that they contain all the required symbols, statements and information contained in Exhibits 1, 2 or 3 as applicable.

Use of USDA Symbol is optional.

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

Exact arrangement and adherence to font size is not required. The case markings must be clearly marked, easily read, and substantially the same as specified in Exhibit 1, 2 or 3 as applicable.

Effective Date: April 2020

Page 4 of 16

Exhibit 3 shows an alternative placard that may be applied to a non-commercial, new, corrugated fiberboard case acceptable by common or other carriers for safe transportation to destinations. This placard must be affixed to the case in such a manner that it cannot be removed intact.

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

UNIVERSAL PRODUCT CODES (UPC)

Contractor UPCs are acceptable for primary containers with commercial labels and/or secondary fiberboard cases enclosing commercially labeled product.

UPCs are not required for commercial labeling with tray pack shipping containers.

Products with alternative, non-commercial labels must use the UPCs listed in Exhibit 4 on the primary and secondary containers.

PALLETIZATION REQUIREMENTS

Pallets

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

Unitization

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

Sampling

Samples to determine grade, size, and microbiological examination will be drawn by the Federal or Federal-State Inspection Service prior to roasting (unless otherwise specified). Microbiological examination will be performed by the laboratory designated by the Federal or Federal- State Inspection Service or specified in the individual commodity specification.

INDIVIDUAL COMMODITY SPECIFICATIONS

Shelled Almonds

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

allowance of 10 percent.

- a. Mission variety must meet all the requirements of U.S. No. 1 grade with the exception of an additional 10 percent chip and scratch allowance (20% total) prior to roasting.
2. Types:
 - a. Whole Natural and Whole Roasted
 - b. U.S. No. 1 pieces, as contained the United States Standards for Grades of Shelled Almonds of March 24, 1997
 3. Group: Nonpareil, California, Neplus, or Mission
 4. Size: 30 –32
 5. Pack Size: 12/2 lb.
 6. Chemical:
 - a. Moisture
 - i. 3.5 percent maximum (Roasted)
 - ii. 6.5 percent maximum (Natural)
 - b. Aflatoxin: 10 ppb or less
 - c. Shelled almonds shall be treated with Propylene Oxide (PPO) or other **validated** methods **such as steam treatment that** achieves a minimum of 4 log reduction of *Salmonella* bacteria. Verification that such treatment has been performed must be provided to the USDA inspector.
 - d. Samples for chemical, microbiological and moisture specifications will be drawn by the Federal or Federal-State Inspection Service and certified by the Dried Fruit Association of California (CDFA) **or Safe Food Alliance**.
 7. Roasted can be nitrogen flushed or vacuum packed.
 8. Inspection must be done before roasting.
 9. A certificate issued by the CDFA (**Safe Food Alliance**) for conformance with the above chemical and microbiological specifications is required. (See invoices and payment)

Shelled Walnuts

1. Grade: U.S. Commercial Grade or better.
2. Variety: English or Persian varieties of (*Juglans regia*).
3. Size: Must be - Pieces, or Pieces and halves, or Halves. (No mixing of size designations)
 - a. 24/1-pounds
4. Color:
 - a. light amber or better
 - b. Red (no color requirements). “Red” color shall not be mixed with “light amber,” or lighter colors.
5. Flavor/odor: Must have good flavor and odor and be free of any off or objectionable flavors and odors, such as rancidity.
6. Naturally derived and may be antioxidant coated.
7. Chemical
 - a. Aflatoxin: 20 ppb or less.
 - b. Peroxide value (PV): 2.8 meq/kg or less.
 - c. Free fatty acid (FFA): 1.25% or less.
8. Moisture: 4.3 percent maximum
9. Microbiological
 - a. Total Plate Count: 50,000/gram maximum
 - b. *E. coli*: Negative
 - c. Shelled walnuts shall be treated with Propylene Oxide (PPO) or other validated methods such as steam treatment that achieves a minimum of 4 log reduction of *Salmonella* bacteria. Verification that such treatment has been performed must be provided to the USDA inspector.
 - d. Samples for chemical, microbiological and moisture specifications must be drawn by the Federal or Federal-State Inspection Service and certified by the CDFA (**Safe Food Alliance**).

- e. A certificate issued by the CDFA for conformance with the above chemical and microbiological specifications is required. (See invoices and payment)
10. **Certification: Walnuts packed in bulk containers to be sent to other facilities for final packaging may be inspected to the quality requirements of a Solicitation at an applicant's/vendor request. If the bulk containers are inspected for quality requirements at the bulk supplier's facility, then the product must be PLI'd and received intact by a USDA employee at the receiving facility. The sampling for moisture, and the microbiological analysis will take place at the location after the final packaging occurs.**
11. **Shipping: All walnuts packaged into their final form (24/1 lb.) for recipient distribution, will be transported so that they will reach the final destination within five-days.**
12. **Case markings for all shelled walnuts shall include the statement: "STORE UNDER REFRIGERATION 35 TO 40 DEGREES F."**

Pistachio Nuts in the Shell

1. Grade: Prior to roasting the pistachios must be U.S. Extra No. 1 as defined in the United States Standards for Grades of Pistachio Nuts in the Shell.
2. Size: Large – 21 to 25 average number of nuts per ounce.
3. Moisture: average must not exceed 7 percent.
4. Sodium: Shall not exceed 120 mg per 1 oz. as evidenced by Nutritional Facts Panel.
5. Fumigation: The pistachios shall be treated with Propylene Oxide (PPO) or other validated methods such as steam treatment that achieves a minimum of 4 log reduction of *Salmonella* bacteria. Verification that such treatment has been performed must be provided to the USDA inspector.
6. Microbiological
 - To be determined prior to roasting:
 - a. Aflatoxin: 15ppb or less.
 - To be determined after roasting:
 - b. Total Aerobic Plate Count: 10,000/gram or less
 - c. *E. coli*: Negative
 - d. *Salmonella*: Negative in 25 grams

7. Package size/type: 25/1 or 12/2 pound (as specified in the Solicitation/IFB) clear poly
8. Truckload case count: 1,640 cases
9. If shipping point is not also the facility where the pistachios are packaged into household size bags for distribution, then the shipper will supply the packaging point (facility) with the U.S. Grading Certificate as well as a Certificate of Analysis (COA) showing the results of moisture and microbiological results.

INSPECTION AND CHECKLOADING

Requirements

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

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

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

Whether each lot offered meets the product and container requirements of the purchase order must be determined on the basis of representative sample units. Representative sample units will be graded according to the Regulations Governing Inspection and Certification of Shelled Nuts and Vegetables and Related Products (7 C.F.R. part 51), and United States Standards for Condition of Food Containers (7 C.F.R. part 42.140), effective on the date of the Solicitation/IFB.

Procedures

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

FAILURE TO MEET SPECIFICATIONS

Any lot which fails applicable specifications prescribed herein will be rejected as not acceptable for delivery. If any lot of shelled nuts fails to meet the product or packaging requirement, the Contractor may request in writing that USDA accept delivery of the lot.

Effective Date: April 2020

Page 9 of 16

USDA may, at its option, accept delivery, provided that the purchase price is the purchase order price less a discount, to be determined by the Contracting Officer.

EXHIBITS**Exhibit 1 - Required Markings for Non-Commercial Shipping Containers**

(All printing to be in black ink)

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

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

- 1/ Insert any additional product style, pack, packing media, or further definition as applicable; (i.e. Sliced, Cut, Chopped, etc.).
- 2/ Insert the size and number of packages per case, i.e. 24/1, 30 pound.
- 3/ Insert the last five digits of the purchase order number.
- 4/ Insert name of Packer and Packer's Address - City, State, and Zip Code. This information can be placed on the end panels or the side panels.
- 5/ Insert Universal Product Code (see Exhibit "4").

Recycle symbols and statements can be placed on bottom panels (Exhibit "5" and "6").

Exhibit 2 - Alternative Label for Shipping Containers
(Includes all Required Information)



Product Name

Pack Size/Number

per case

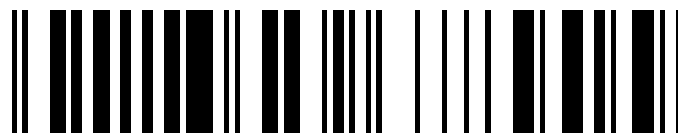
Purchase Order #

Packed by: ABC Growers

Any Town, CA 99999

USDA Symbol is Optional

STORE IN A COOL DRY PLACE



1234567891012345678910

Exhibit 3 - Sample Alternative Label for Shipping Containers



**Shelled
Walnuts**

30-pounds

Purchase Order Number XXXX

Packed by: ABC Growers

Any Town, CA 99999

USDA Symbol is Optional

STORE IN A COOL DRY PLACE

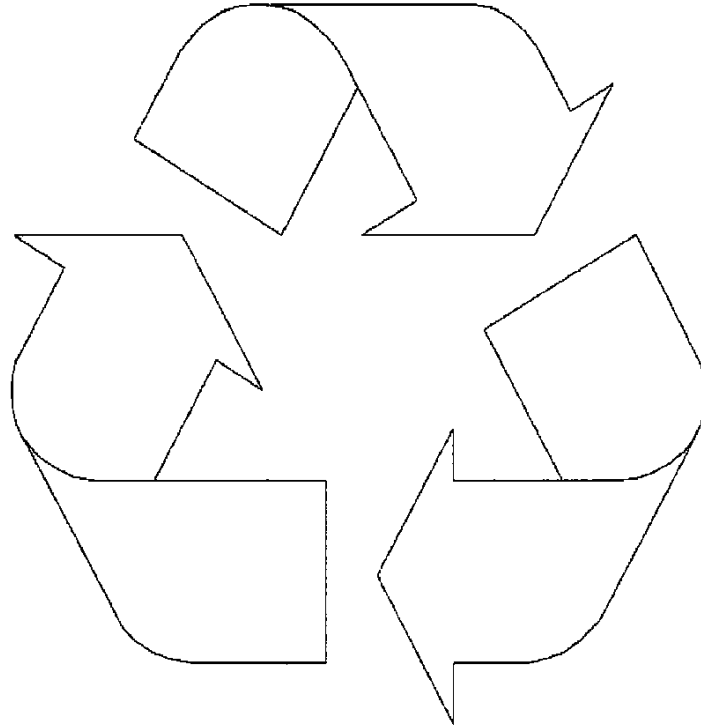


1 11 07 15001 01434 1

Exhibit 4 - Universal Product Codes

Shelled Tree Nuts	WBSCM Material	Primary Container	Secondary Container
Walnut Eng PCS (24/1 lb.)	100908	7 15001 00908 1	1 07 15001 00908 8
Pistachios In-Shell (25/1 lb.)	111078	7 15001 11078 7	1 07 15001 11078 4
Pistachios In-Shell (12/2 lb.)	111090	7 15001 11090 9	1 07 15001 11090 6

Exhibit 5 - "Please Recycle" Symbol and Statement



**PLEASE
RECYCLE**

Exhibit 6 - “Corrugated Recycles” Symbol and Statement



**Corrugated
Recycles**

Exhibit 7 - USDA Symbol

The USDA Symbol is Optional

