

| | | | | | | | |
|--|--|---|--------------------------|--|-------------|---|---|
| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | | 1. CONTRACT ID CODE J | | PAGE 1 OF 5 | | |
| 2. AMENDMENT/MODIFICATION NO. P00011 | | 3. EFFECTIVE DATE See Blk. 16C | | 4. REQUISITION/PURCHASE REQ. NO. See Block 14 | | 5. PROJECT NO. (If applicable) | |
| 6. ISSUED BY CODE | | SPE3S1 | | 7. ADMINISTERED BY (If other than Item 6) CODE | | SPE3S1 | |
| DLA TROOP SUPPORT SUBSISTENCE SUPPLY CHAIN 700 ROBBINS AVENUE PHILADELPHIA PA 19111-5096 USA Initiator: Darren Gregory DDG0068 Tel: 215-737-2609 Email: Darren.Gregory@dla.mil | | | | DLA TROOP SUPPORT SUBSISTENCE SUPPLY CHAIN 700 ROBBINS AVENUE PHILADELPHIA PA 19111-5096 USA | | | |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) SO-PAK-CO, INC 118 S CYPRESS ST MULLINS SC 29574-3004 USA | | | | (X) | | 9A. AMENDMENT OF SOLICITATION NO. | |
| | | | | | | 9B. DATED (SEE ITEM 11) | |
| | | | | X | | 10A. MODIFICATION OF CONTRACT/ORDER NO. SPE3S1-23-D-Z155 | |
| | | | | | | 10B. DATED (SEE ITEM 13) 2023 JAN 30 | |
| CODE 6D623 | | FACILITY CODE | | | | | |
| 11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS | | | | | | | |
| <input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers | | | | | | | <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. |
| Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified. | | | | | | | |
| 12. ACCOUNTING AND APPROPRIATION DATA (If required) | | | | | | | |
| 13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14. | | | | | | | |
| CHECK ONE | | A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. | | | | | |
| X | | FAR 52.243-1 | | | | | |
| | | B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103 (b). | | | | | |
| | | C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: | | | | | |
| | | D. OTHER (Specify type of modification and authority) | | | | | |
| E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office. | | | | | | | |
| 14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) | | | | | | | |
| See Continuation Sheet | | | | | | | |
| Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect. | | | | | | | |
| 15A. NAME AND TITLE OF SIGNER (Type or print) | | | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) | | | |
| | | | | Tiendung Nguyen | | | |
| 15B. CONTRACTOR/OFFEROR | | 15C. DATE SIGNED | | 16B. UNITED STATES OF AMERICA | | 16C. DATE SIGNED | |
| (Signature of person authorized to sign) | | | | Tiendung Nguyen | | 2024 AUG 08 | |
| | | | | (Signature of Contracting Officer) | | | |

| | | |
|--------------------|---|-------------------|
| CONTINUATION SHEET | REFERENCE NO. OF DOCUMENT BEING CONTINUED: SPE3S1-23-D-Z155 / P00011 | PAGE 2 OF 5 PAGES |
|--------------------|---|-------------------|

SECTION C - SPECIFICATIONS/SOW/SOO/ORD

I. The following applies to contract SPE3S1-23-D-Z155:

A. Alternative aflatoxin content testing procedure.

Until further notice, at the contractor's request, with the Contracting Officer's written authorization, and at the contractor's expense, the following provisional Alternative aflatoxin content testing procedure shall be permitted as a method of inspection to verify aflatoxin content of finished products produced in accordance with PCR-N-003, PCR-T-014, and A-A-20164.

Affected requirements sections include, but may not be limited to:

PCR-N-003B, E-5,B,(4),b. Aflatoxin testing.

PCR-T-014A, E-5,B,(5) Aflatoxin testing.

PKG&QAP A-A-20164E, E-5,B,(3) Aflatoxin.

The producer shall provide a USDA certificate that the raw/blanched peanuts used to produce the roasted peanut ingredient have a negative Aflatoxin content in accordance with 7 CFR 996. Negative Aflatoxin content means 15 parts per billion (ppb) or less for peanuts that have been certified as meeting edible quality grade standards:

Alternative aflatoxin content testing procedure.

Compliance with aflatoxin testing requirements may be achieved by the use of either of the two methods described below, Method (A) or Method (B). Note that Method (B) requires certain conditions to be met.

.....Method (A) (Finished product testing):

The finished product sample to be analyzed shall be a composite of the nut ingredients 1/ of eight filled and sealed pouches which have been selected at random from the lot. The composited sample shall be prepared and analyzed in accordance with the OMA of AOAC International method 991.31 A-F, H, with preparation of the sample performed according to AOAC International method 977.16. Test results shall be reported to the nearest whole number. Government verification will be conducted through actual testing by a Government laboratory 2/. Any result not conforming to the requirement shall be cause for rejection of the lot.

Method (B) (Bulk ingredient product testing):

a. Prepackaged bulk product. For prepackaged nut products and/or mixed-products-with-nuts 3/ received from a supplier and is not further processed or repackaged 4/, the contractor will furnish a CoA that the aflatoxin content in the nut products and/or mixed-products-with-nuts is not greater than 15 parts per billion (ppb). No additional testing is required. Results shall be reported to the nearest whole number.

b. Bulk packed product. For nut products and/or mixed-products-with-nuts received in bulk (to be used in end-item nut and/or mixed-products-with-nuts), the contractor may offer a current and acceptable USDA aflatoxin certificate or supplier-aflatoxin-certificate 5/ as verification that the aflatoxin in the bulk lot is below 15 ppb. (See the note at the bottom of this section.) If an acceptable USDA or supplier-aflatoxin-certificate does accompany the ingredient bulk lot, no additional finished product aflatoxin testing is required if the end item lots are manufactured using that bulk product and both the bulk and end item lots' identities have been preserved. If an acceptable USDA or

CONTINUED ON NEXT PAGE

SECTION C - SPECIFICATIONS/SOW/SOO/ORD (CONTINUED)

supplier-aflatoxin-certificate does not accompany the ingredient bulk lot, the following alternate method of inspection may be used. The contractor shall have the bulk shipment sampled by a Government Quality Assurance Representative and tested by a Government laboratory. Sampling of bulk nut products and/or mixed-products-with-nuts, if performed by Veterinary Food Inspection, shall take place at the contractor location cited in the Plan for the Inspection Job. Paragraphs c and d below apply to all lots of nut products and/or mixed-products-with-nuts received in bulk to be used as ingredients in end-item product.

c. Procedure for selection, handling, and identification of samples.

The GQAR shall sample bulk lots in accordance with the procedural steps explained and illustrated in “Sample Selection for Aflatoxin Testing”.

Sample Selection for Aflatoxin Testing

1. Divide the load into three approximately equal segments (Beginning, Middle and End)
2. Divide each segment into three approximately equal sub-groups (1-9)
3. One-pound of product will be collected from each sub-group
4. Product representing each sub-group shall be collected from three sampling points; each sampling point to weigh approximately 1/3 pound. No more than one sampling point per case of product.
5. The one-pound sub-group samples will be comingled to form three composite samples and the composite samples shall be designated as Test Sample 1, Test Sample 2, and Test Sample 3 as follows:

Test Sample 1- comprising Sub-groups 1, 4 & 7 = Composite of 3 pounds

Test Sample 2- comprising Sub-groups 2, 5 & 8 = Composite of 3 pounds

Test Sample 3- comprising Sub-groups 3, 6 & 9 = Composite of 3 pounds

6. Test Sample 1 will be submitted to the Government Laboratory for Aflatoxin testing and Test Samples 2 and 3 will be held as stand-by samples. If the Test Sample 1 passes, no further testing will be required. If Test Sample 1 fails to meet, but does not exceed the lot rejection requirements, Test Sample 2 will be submitted to the Government lab. If Test Sample 2 passes, no further testing will be required. If Test Sample 2 fails to meet, but does not exceed the lot rejection requirements, Test Sample 3 will be submitted to the Government lab.

| Segments | Beginning | | | Middle | | | End | | |
|---------------|-----------|---|---|--------|---|---|-----|---|---|
| Sub-groups | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| Test Sample 1 | 1 | | | 4 | | | 7 | | |
| Test Sample 2 | | 2 | | | 5 | | | 8 | |
| Test Sample 3 | | | 3 | | | 6 | | | 9 |

CONTINUED ON NEXT PAGE

| | | |
|--------------------|---|-------------------|
| CONTINUATION SHEET | REFERENCE NO. OF DOCUMENT BEING CONTINUED: SPE3S1-23-D-Z155 / P00011 | PAGE 4 OF 5 PAGES |
|--------------------|---|-------------------|

SECTION C - SPECIFICATIONS/SOW/SOO/ORD (CONTINUED)

Note: If requested by the contractor, two or three of the test samples may be forwarded simultaneously to the Government lab.

Note: Unused product from test samples received at the Government lab will not be returned to contractor.

d. Procedure for aflatoxin testing and reporting.

(i) The composited sample shall be prepared and analyzed in accordance with the OMA of AOAC International method 991.31 A-F, H, with preparation of the sample performed according to AOAC International method 977.16. Test results shall be reported to the nearest whole number. Government verification will be conducted through actual testing by a Government laboratory.

(ii) If the aflatoxin content of Test Sample 1 is 5 ppb or less, the lot will be reported as aflatoxin negative. If the aflatoxin content of Test Sample 1 is 25 ppb or more, the lot shall be rejected.

(iii) If the aflatoxin content of Test Sample 1 is above 5 ppb but less than 25 ppb, Test Sample 2 will be analyzed. Test results for Test Sample 1 and 2 will be averaged. If the averaged aflatoxin content for Test Sample 1 and 2 is 10 ppb or less, the lot will be reported as aflatoxin negative. If the averaged aflatoxin content for Test Samples 1 and 2 is 20 ppb or more, the lot shall be rejected.

(iv) If the averaged aflatoxin content of Test Samples 1 and 2 is above 10 ppb but less than 20 ppb, Test Sample 3 will be analyzed. Test results for Test Sample 1, 2 and 3 will be averaged. If the averaged aflatoxin content for Test Sample 1, 2 and 3 is 15 ppb or less, the lot will be reported as aflatoxin negative. If the averaged aflatoxin content for Test Samples 1, 2 and 3 is more than 15 ppb, the lot shall be rejected.

(v) Bulk lots determined to be conforming for aflatoxin as evidenced by a USDA *Report of Analytical Test Results*, in accordance with the foregoing conditions and procedures will be considered acceptable for use as ingredients. Results shall be reported to the nearest whole number. No additional finished product aflatoxin testing is required if the end item lots are manufactured using that bulk product and both the bulk and end item lots' identities have been preserved. If bulk ingredient lot verification is used, each ingredient lot shall be tested in bulk state for aflatoxin content. Bulk nut products and mixed-products-with-nuts with aflatoxin greater than 15 ppb shall not be used as ingredients.

NOTE: A USDA authorized aflatoxin certificate on nuts from the most recent crop year which have been kept in cold storage (between approximately 40°F to 50°F at low humidity) is acceptable. Contractor must attest to these storage conditions. If storage conditions for the nuts are not established, a USDA authorized aflatoxin certificate on the nuts will be considered acceptable if not more than 30 days have elapsed since the date of the analysis. USDA authorized aflatoxin certificates include USDA authorized supplier aflatoxin certificates.

NOTE: Shipping containers containing bulk ingredient product or prepackaged product shall be rationally and sequentially marked for purposes of sampling and traceability. Contact DLA Troop Support - FTSC if shipping containers are not traceable sequentially by a logical progression.

1/ The words “nut” and “nuts”, as used in Method (A) and Method (B) includes any roasted peanuts, roasted almonds, roasted cashews, almonds, cashews, filberts, and walnuts.

2/ “Government laboratory” as used in Method (A) or Method (B) does not include a non-Government USDA-approved laboratory to test for total aflatoxin content in samples for domestic and imported peanuts marketed in the United States.

CONTINUED ON NEXT PAGE

| | | |
|--------------------|---|-------------------|
| CONTINUATION SHEET | REFERENCE NO. OF DOCUMENT BEING CONTINUED: SPE3S1-23-D-Z155 / P00011 | PAGE 5 OF 5 PAGES |
|--------------------|---|-------------------|

SECTION C - SPECIFICATIONS/SOW/SOO/ORD (CONTINUED)

3/ “Mixed-products-with-nuts” include ingredients for nut raisin mix with chocolate disks and recovery trail mix with pretzels; including ingredients received as premixed/preblended ingredients.

4/ “Further processed product” or “repackaged product” means the prepackaged product's “primary packaging” is or was opened for any reason, save for purposes of sample inspection, prior to its offer to the Government.

5/ A “supplier-aflatoxin-certificate” must be a USDA authorized certificate from a laboratory approved by USDA to test for total aflatoxin content in samples for domestic and imported peanuts marketed in the United States. When a supplier-aflatoxin-certificate is offered to the GQAR, the following, at a minimum, shall be included on the official report: (1) laboratory identification, (2) applicant identification, (3) product identity (name and lot number), (4) test identification, (5) test results, (6) date report issued, (7) name and signature of approving official, and (8) description of method of sampling.

B. Modification P00005, part I,A,2.

1. Page 2 of 3. Delete part I,A,2, in its entirety, and insert the following paragraph “E-4-E. Periodic Review Samples”:

“E-4-E. Periodic Review Samples

All food components that are inspected by USDA/AMS will be subject to periodic review sampling and examination/ testing during contract production in accordance with the following criteria: For each periodic review schedule of production, the USDA/AMS inspector will randomly select ten sample units from a conforming lot of each item (i.e. each type, flavor, etc.) produced by the contractor and inspected for product examination by USDA/AMS. As instructed by DLA Troop Support, the USDA/AMS inspector shall ship seven of the samples, at the contractor's expense, to the addresses below. In addition, the USDA-AMS inspector shall include, as a part of each shipment to a USDA-AMS destination, at least one sample pouch representing the current production standard for each distinct type of product comprising each shipment.

Four samples selected by USDA/AMS will be sent to:

Operational Rations Marketing Specialist, Anthony Foresi (one sample)

Operational Rations Marketing Specialist, Louis Obot (one sample)

Operational Rations Marketing Specialist, David Gonzales (one sample)

USDA Area Office Officer-in-Charge (one sample)

Three samples selected by USDA/AMS will be sent to:

DEPARTMENT OF THE ARMY

FCDD-SCC-EMR

Attn: Jill Bates (Bldg 36 Rm E107)

COMBAT CAPABILITIES DEVELOPMENT COMMAND - SOLDIER CENTER

10 GENERAL GREENE AVENUE

NATICK, MA 01760-5056

POC: (508) 233-5037

The USDA/AMS inspector shall retain three samples for standby use and return them to contractor if not needed.”