

# Specifications for SWC 612 – Dairy Products

## 1. GENERAL REQUIREMENTS

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**Product quality** - The dairy products contract specifications are intended to be descriptive. If the quality of a dairy products item varies from this description and is questionable, it is the contractor's responsibility prior to delivery to get the acceptance from the agency's food manager.

**Buy American Provision Requirement** – All K-12 school purchases must abide by the Buy American Provision. This requirement mandates adherence to the Buy American Provision, which fully requires the purchase of domestic commodities or products feasible for meals provided through the National School Lunch Program and School Breakfast Program. Suppliers must identify whether their bid products are domestic or non-domestic and certify that at least 51% of the final processed product, by weight or volume, consists of agricultural commodities grown in the U.S. Failure to provide necessary information renders a supplier "non-responsive."

Awarded suppliers must continuously certify compliance, provide requested documentation including supplier certification letters and pricing comparisons, and promptly notify Contracting Entities (CE) if substituting a non-compliant product. Repetitive non-compliance leads to termination of the contract, with the award transferring to the next eligible respondent suppliers must also certify compliance with all relevant provisions of the Buy American Act, ensuring that purchases meet the outlined criteria, with unprocessed foods being 100% domestic. Compliance with procurement rules mandating full and open competition remains necessary for purchases made under the Buy American Provision.

**Smart Snack Requirement** – Currently all foods sold at school during the school day are required to meet nutrition standards. The Smart Snacks in School regulation applies to foods sold a la carte, in the school store, vending machines, and any other venues where food is sold to students. It is the Supplier's responsibility to ensure snack foods (i.e. ice cream products) meet this Smart Snack eligibility requirement before bidding. If a snack does not meet this requirement, it is the supplier's responsibility to inform the Contract Administrator so appropriate changes can be made. The web link to this calculator can be found at Alliance Product Calculator which is listed below.

<https://foodplanner.healthiergeneration.org/calculator/>

**Shelf Life** - All products furnished shall be dated to provide adequate shelf-life normal use. Milk and cream shall have a minimum shelf life of 7 days from the day of delivery. Cottage Cheese, yogurt, sherbet, and ice cream shall have a minimum of 14 days.

## 2. PRICING AND ADJUSTMENTS

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This is an adjustable price contract, with pricing permitted to change on a monthly basis for Class I dairy products. All other products on contract will be part of Catalogs with a percentage off discount with updated Catalogs sent in monthly. Supplier's updated discounts should be submitted no later than the

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third Friday of each month for prices to be effective the following month. The Federal Milk Market Order pricing and the monthly release schedule can be accessed using the link below:

<https://www.ams.usda.gov/rules-regulations/mmr/dmr>

This monthly adjustment may be positive, zero, or negative.

Excluded from this price are any optional prompt payment discounts.

## 5. PACKAGING & LABELING

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Dairy packaging and labeling in the USA are regulated by the FDA and USDA. Requirements include safe packaging, clear product identification, ingredient listing, accurate nutrition information, allergen disclosure if applicable, expiration date, storage instructions, manufacturer information, optional country of origin indication, certifications, and barcodes for tracking. Adhering to these ensures product safety, consumer trust, and compliance with federal standards. Shipping containers shall follow the National Motor Freight Classification and Uniform Freight Classification Code.

## 6. DELIVERY

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General Delivery Requirements - Deliveries will be consistently scheduled to arrive at each agency at a day and time mutually agreed upon by the Contractor and the agency. Deliveries once or twice a week are common.

All fresh items should be delivered at or below 40 degrees Fahrenheit. All ice cream should be delivered at or below 0 degrees Fahrenheit.

The minimum order is \$150. Any orders below \$150 may be charged a delivery fee.

## 7. WAREHOUSING AND SANITATION PROGRAM/HACCP

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Suppliers are required to have, and follow, written Hazard Analysis Critical Control Point (HACCP) program procedures. HACCP procedures must be provided with the proposal submission or made available for review.