



UNITED STATES  
DEPARTMENT OF  
AGRICULTURE

COMMODITY  
CREDIT  
CORPORATION

KANSAS CITY COMMODITY OFFICE  
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September 16, 1998

AMENDMENT 2 TO  
ANNOUNCEMENTS  
FOR USE IN EXPORT PROGRAMS

The purpose of this amendment is to change language under Section 11, Shipment and Delivery, to clarify a change which was issued in a Notice to the Trade, July 5, 1996. Please replace pages according to the following table:

Announcement No.	Remove Pages	Replace with attached pages
BWSF7	22 and 23	22 and 23
EFR1	11 and 12	11 and 12
MF7	13 and 14	13 and 14
MR17	9 and 10	9 and 10
PBL7	<del>10</del> <sup>9</sup> and <del>11</del> <sup>10</sup>	<del>10</del> <sup>9</sup> and <del>11</del> <sup>10</sup>
SFSG9	17 and 18	17 and 18
SSFR1	11 and 12	11 and 12
WFBF1	15 and 16	15 and 16
WSB12	21 and 22	21 and 22

This amendment is effective with contracts awarded on or after the date of issuance.

Alan King  
Director

total defects due to surface dirt which is readily removed during processing, and will meet the specifications for the class(es) of beans listed in the invitation and in the "U.S. Standards for Beans."

- (3) Pea beans must grade U.S. No. 2 or better but will contain no more than 5 percent of beans with surface dirt and grime and total defects. Lentils must grade U.S. No. 3 or better.
- (4) The grade certificates issued by FGIS for beans, except for pea beans, containing between 4 and 5 percent total defects due to surface dirt will show the grade U.S. No. 3, and must include the following statement:

"This lot meets the requirements applicable for U.S. No. 2 or better (class of beans) except for defects due to dirt and grime."

- (5) The grade certificate issued by FGIS for pea beans must include the following statement:

"This lot contains (percent) of beans with surface dirt and grime and total defects. Beans with surface dirt and grime are not considered damage in pea beans and are not included in the "Total Defects results."

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

#### C. Average Net Weight Specifications

An examination will be performed by randomly selecting and weighing a specified number of filled shipping units for each production lot. The exact number of filled shipping units to be examined shall be determined in accordance with approved FGIS sampling procedures. The average net weight of the shipping unit shall be determined by subtracting the average tare weight from the average gross weight. The average net weight of the sampled shipping units must not be less than 98 percent of the marked net weight. Failure of the lot to meet the average net weight requirement shall cause rejection of the involved lot.

### 10. INSPECTION AND CHECKLOADING

- A. The inspection required by Article 54 of USDA-1 and checkloading as provided in Article 55 of USDA-1, will be performed by Federal Grain Inspection Service (FGIS). Checkloading is required for intermodal movements only. Procedures to be followed and a schedule of fees for this service may be obtained by contacting FGIS. Subject to Articles 54 (k) and (o) of USDA-1, the quality (as described in paragraphs 9.B.-C.), weight, packaging and checkloading (if applicable), of the product must be evidenced by commodity inspection certificates issued by FGIS. Contractors are required to notify KCCO immediately of lots that fail to meet contract requirements.

- B. Contractor must not ship the product unless informed by FGIS that the containers and markings meet the Acceptable Quality Level (AQL) of the "U.S. Standards for Condition of Food Containers." Notice by FGIS that a designated lot scheduled for shipment does not meet the AQL will constitute rejection to the contractor of such lot. Except with respect to shipments that do not meet the AQL standards, and notwithstanding Article 56 (b) of USDA-1, contractor may ship the product prior to receipt of the commodity testing and analysis results in which event contractor assumes all risks and liabilities that arise with respect to the failure of the shipped product to meet contract specifications.
- C. An examination will be performed by randomly selecting and weighing a specified number of filled shipping units for each production lot. The exact number of filled shipping units to be examined shall be determined in accordance with approved FGIS sampling procedures. The average net weight of the shipping unit shall be determined by subtracting the average tare weight from the average gross weight. The average net weight of the sampled shipping units must not be less than 98 percent of the marked net weight. Failure of the lot to meet the average net weight requirement shall cause rejection of the involved lot.
- D. If the product fails to meet contract specifications on one or more factors on the first inspection, the contractor may arrange with FGIS for subsequent inspections of the commodity. The inspections may be conducted at origin or a subsequent point of delivery if the provisions of Title 7 CFR 68.44 through 68.63 issued under the Agricultural Marketing Act of 1946, as amended, with respect to retest, appeal, and new inspections can be met. When subsequent inspections of the product are made, the results of the last inspection will be used as the basis for payment under the contract.
- E. Examination and certification of product by FGIS shall not relieve contractors of their responsibility to deliver a product that complies with all contractual and specification requirements.

## 11. 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 ✓.. the designated steamship line, ✓.. on the date of delivery, as evidenced by signed and dated consignee's receipt, warehouse receipt, dock receipt, or other similar document acceptable to CCC.
- C. The quantity of the product delivered must be evidenced by signed and dated consignee's receipt, warehouse receipt, dock receipt, or other similar document acceptable to CCC.
- D. Contractors are required to make **TWO** notifications for each shipment (See Article 56(c) of USDA-1):
  - (1) The Notify Party shown on the KC-269, "Notice to Deliver" (N/D), must be contacted prior to shipment.