

## SUBCHAPTER I—DEPARTMENT SUPPLEMENTARY REGULATIONS

### PART 870—SPECIAL PROCUREMENT CONTROLS

#### Subpart 870.1—Controls

Sec.

- 870.111 Subsistence.
- 870.111-3 Contract clauses.
- 870.111-5 Frozen processed food products.
- 870.112 Telecommunications equipment.
- 870-113 Paid use of conference facilities.
- 870.115 Food service equipment.

AUTHORITY: 38 U.S.C. 501; 40 U.S.C. 121(c); and 48 CFR 1.301-1.304.

SOURCE: 73 FR 2717, Jan. 15, 2008, unless otherwise noted.

#### Subpart 870.1—Controls

##### 870.111 Subsistence.

###### 870.111-3 Contract clauses.

(a) The contracting officer shall include the clause at 852.270-2, Bread and bakery products—quantities, in solicitations and contracts for bread and bakery products.

(b) The contracting officer shall include the clause at 852.270-3, Purchase of shellfish, in solicitations and contracts for shellfish.

###### 870.111-5 Frozen processed food products.

(a) The following frozen processed food products must have a label complying with the Federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq.), which requires that all ingredients be listed according to the order of their predominance:

(1) Frozen processed food products that contain meat, poultry, or a significant proportion of eggs.

(2) Frozen processed food products that contain fish or fish products.

(3) Frozen bakery products.

(b) All procured frozen processed food products that contain meat, poultry or a significant proportion of eggs must meet the following requirements:

(1) The products must be processed or prepared in plants operating under the supervision of the Department of Agriculture (USDA).

(2) The product must be inspected and approved in accordance with USDA regulations governing meat, poultry, or egg inspection. A label or seal that indicates compliance with USDA regulations, affixed to the container, will be accepted as evidence of compliance.

(c) All procured frozen processed food products that contain fish or fish products must meet the following requirements:

(1) The product must be processed or prepared in plants operated under the supervision of the Department of Commerce (DOC). The products listed in DOC's publication "Approved List of Sanitarily Inspected Fish Establishments" are processed in plants under Federal inspection of the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, DOC. The inspected products packed under various labels bearing the brand names are produced in accordance with current U.S. Grade Standards or official product specifications, packed under optimum hygienic conditions, and must meet Federal, State, and city sanitation and health regulations. Such brand label or DOC seal indicating compliance with DOC regulations, affixed to a container, will be accepted as evidence of compliance.

(2) If the condition in paragraph (c)(1) of this section was not met (no seal), the shipment may be lot-inspected by the DOC, and containers stamped to indicate acceptance or a Certification of Inspection issued to accompany the shipment.

(d) Producers of frozen bakery products that ship products in interstate commerce are required to comply with the Federal Food, Drug and Cosmetic Act. Therefore, the product must be verified as shipped interstate or that the producer ships products to other purchasers interstate.

###### 870.112 Telecommunications equipment.

(a) The contracting officer must include the clause at 852.211-71, Special notice in solicitations, including those