

Module 9d: Other Compliance/Noncompliance: Consumer Protection

The last type of compliance/noncompliance that can exist in a HACCP plant is "Other Consumer Protection." This group includes the regulatory requirements for consumer protection against activities like misbranding, mislabeling, or economic adulteration. This group also includes the regulatory requirements for facilities, including lighting, structural, outside premises, and product-based facility requirements. HACCP hasn't changed these requirements.

Industry is still responsible for producing unadulterated product and labeling it truthfully. When adulteration does occur, the establishment must not allow affected product to be distributed and must prevent recurrence of the problem.

Even though misbranding, mislabeling, and other economic adulteration of product aren't food safety hazards, FSIS is still responsible for ensuring that adulterated product doesn't enter commerce. If official control action is required, you'll take it.

When noncompliance is identified, document it on an NR. Select the most appropriate trend indicator.

For example, if you discover that a product labeled "beef bologna" is made with both beef and chicken, you've identified noncompliance. Initiate official control action, that is, retain the product. Document the noncompliance on an NR. Mark the "Misbranding" trend indicator. Remember to circle misbranding on the PS also.

Sometimes official control action won't be necessary. Suppose unused equipment and supplies are stored on the ground outside the plant. You observe a mouse run under the equipment. Official control action against the equipment isn't necessary. Document the noncompliance. Mark the trend indicator "outside premises" on the NR and on the PS.

Documentation of recurring or repeated noncompliance will be used as the basis for further FSIS actions.