**SBREFA**
Outreach to Small and Very Small Plants

**EIAO Training**

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**Introduction**

- Small Business Regulatory Enforcement Fairness Act (SBREFA)
  - Signed into law March 29, 1996
  - Gives small/very small establishments a greater voice in development and enforcement of regulations

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**Definitions**

- Small Plant
- Very Small Plant
- Ombudsman
Two Key Areas of SBREFA

- Advocacy
  - Outreach and compliance assistance
- Enforcement Fairness
  - To ensure non-retaliation for regulated establishments

Advocacy–outreach & compliance

- Goal – Provide technical guidance and assistance to small and very small meat, poultry establishments, and egg plants
- Constitute vast majority of meat and poultry plants in U.S.
- Usually need technical guidance and assistance in HACCP and food safety

Challenges

- Small and Very Small Plants may:
  - Lack resources
  - Lack knowledge
  - Have possible language barriers
  - Lack strong Associations
  - Believe that old methods result in safe products
Common Issues

- Lack of scientific support for hazard analysis and reassessment
- Validation – Reliance on literature without validation in the plant’s environment
  - “We’ve done it this way for years - no one has died from eating our product.”
  - “Government makes new requirements to put small plants out of business”
- Cannot leave plant for training

Small and Very Small Plant Outreach

- EIAO’s play a vital role in advocacy
  - Key position to provide outreach to small and very small plants
  - Included in EIAO job description and performance elements
  - Majority of issues deal with food safety systems design

Advocacy Issues

- Food Safety System Design, “HACCP”
  - Supporting Documentation
  - Initial Validation
  - More Complex
Advocacy Issues

• Bad Actors
• Must meet Regulatory Compliance
• Do not have to implement outreach we provide
• Document, document, document…

EIAO’s Expanded Role in Outreach

• Outreach visits
• For outreach assistance - not FSA
• Promotes open communication
• May perform while in the area performing FSA at another plant

EIAO’s Expanded Role in Outreach

• Promote understanding of regulatory requirements
• Explain what to expect during FSA
• Provide FSIS materials/resources
  • Share guidance material/contact lists
  • Carry FSIS supplied material with you
• Refer plants to Contacts/Coordinators
  • They can do what FSIS cannot
What EIAO’s Don’t Do

• Do not write the HACCP Plan or SSOP
• Do not dictate CCP's
• Do not create additional burdens
• Do not hesitate to involve Contacts or Coordinators
  • They can provide direct assistance

EIAO’s Role in Outreach

• Participate in HACCP courses or roundtables held at universities
• Collaborate with others to hold workshops for small plants
• Food Safety Summits
• Conferences for IPP

Outreach Resources

• Outreach and Partnerships Division of OOEET
  • Prepares compliance materials
  • Serves
    • FSIS employees
    • Small plant owners/operators
    • State and local governments
    • American Indian/Eskimo
    • Underserved populations
Resources

• Extensive library of free outreach materials
  • In English and Spanish, some in Chinese, Korean, and Vietnamese
  • Guidebook for Preparation of HACCP Plans
  • Generic HACCP Models available
  • Booklets, videos and CDs on HACCP and Food Safety

To Get Materials

• Hard copies – Listed on brochure
  • Call Outreach and Partnership Division of OOEET at 202-690-6522
• FSIS web page
  • http://www.fsis.usda.gov/wps/portal/fsis/topics/regulatory-compliance/haccp/small-and-very-small-plant-outreach

Other Resources

• In addition to the role of the EIAO:
  • State Outreach and Technical Assistance Division (SOTAD) of OOEET works with Contacts and Coordinators, associations, and others
  • List of HACCP Coordinators in each state can be accessed from the small plant webpage
Other Resources

• In addition to the role of the EIAO:
  • In November 2009 FSIS began to offer
    • Toll-free Small Plant Help Desk
    • One stop shop for questions about how to make sure
      products are safe, wholesome, properly labeled
    • Provide a portal to other services such as AskFSIS
  • 1-877-FSISHelp or email Infosource@fsis.usda.gov

Other Resources

• OFO has developed a start up package to
  guide new small and very small plants thru
  the process
  • Beginning with applying for the Grant of
    Inspection
  • Available at any district office

Enforcement Fairness

• National Ombudsman and Regulatory
  Fairness Boards
  • Forum for small businesses to report
    compliance or enforcement experiences with
    Federal regulatory agencies
**National Ombudsman and Fairness Boards**

- Avenues of appeal for small entities
- **Do not** replace FSIS appeal processes
- **Cannot** overturn or adjudicate Agency decisions
- Focus on “unfairness” in regulatory decisions or enforcement actions

**Enforcement Fairness**

- **Agency role**
  - Ensure non-retaliation
  - Attend Fair Regulatory Enforcement Hearings if issue raised
  - Provide official responses to complaints or comments

**Summary**

- Provide compliance assistance to small and very small plants
- Provide information on outreach and available resources
- Attend meetings, roundtables, and workshops as directed
- Communication is the key!
Headquarters SBREFA Contacts

- FSIS Headquarters SBREFA Contacts:
  - Lisa Volk, OFO (202) 720-4863
  - Rachel Edelstein, OPPD (202) 205-0495
  - Victoria Levine, OPPD (202) 720-5627
  - Scott Safian, OPEER (202) 418-8872
  - Jeff Tarrant, OOEET (202) 690-6522

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Questions

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Workshop Time!