

SBREFA

Outreach to Small and Very Small Plants

EIAO Training



Introduction

- Small Business Regulatory Enforcement Fairness Act (SBREFA)
 - Signed into law March 29, 1996
 - Applies to all branches of government
 - Gives small business a greater voice in development and enforcement of regulations

Definitions

- Small Plant
- Very Small Plant
- Ombudsman
- Fairness Boards



Two Key Areas

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

Advocacy

- Goal – Provide technical guidance and assistance to small and very small meat, poultry, 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

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 a 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



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
 - 13 Generic HACCP Models
 - 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

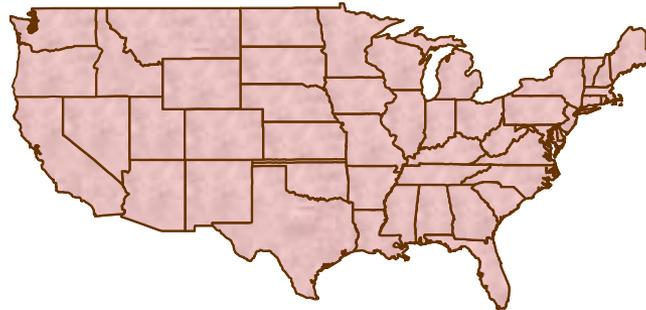


SBA Office of National Ombudsman

- Ombudsman: a person who has a proxy to represent someone
- Represents small businesses in their dealings with Federal regulatory agencies regarding the fairness of compliance and enforcement actions
 - Small business owners may contact the Office of National Ombudsman at:
 - 1-888-REGFAIR (1-888-734-3247) or <https://www.sba.gov/ombudsman>

Regional Fairness Boards

- 10 boards throughout U.S.
- Members are small business owners elected by other small business owners
- Meetings open to public
- Meetings are posted to website
 - Including issues scheduled for the meeting

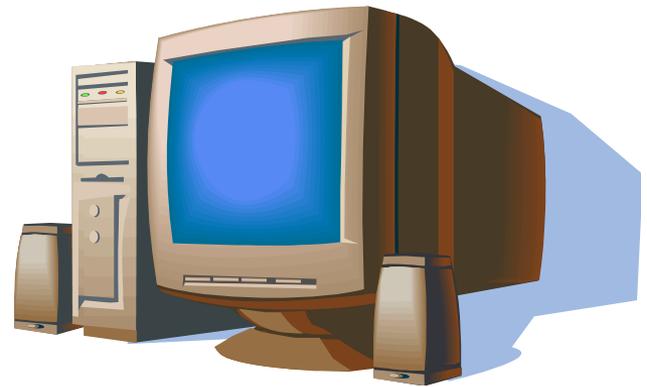


National Ombudsman and Fairness Boards

- 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

WebSite for SBREFA

- Calendar of Events
- Fairness Board Members
- How to file comments with SBA/ONO
- <https://www.sba.gov/ombudsman/comments>



Enforcement Fairness

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

The logo for the Food Safety and Inspection Service (FSIS) is displayed in a large, bold, blue font. The letters 'F', 'S', and 'I' are connected, and the 'S' is also connected to the 'I'. The letters have a red outline and a slight shadow effect.

SBREFA Fairness Board Meetings

- SBA emails or phones FSIS
 - About upcoming meetings
 - If an FSIS issue is scheduled
- OFO no longer sends EIAO's to these meetings because issues are not related to FSIS.



SBA Grades Agencies

- SBA reports to Congress and “grades” agencies on a number of factors
 - Attendance at roundtables/hearings
 - Non-retaliation policy statements
 - Outreach activities
 - Compliance Assistance
 - Timeliness/quality of responses to comments
 - Informs about SBREFA

Summary

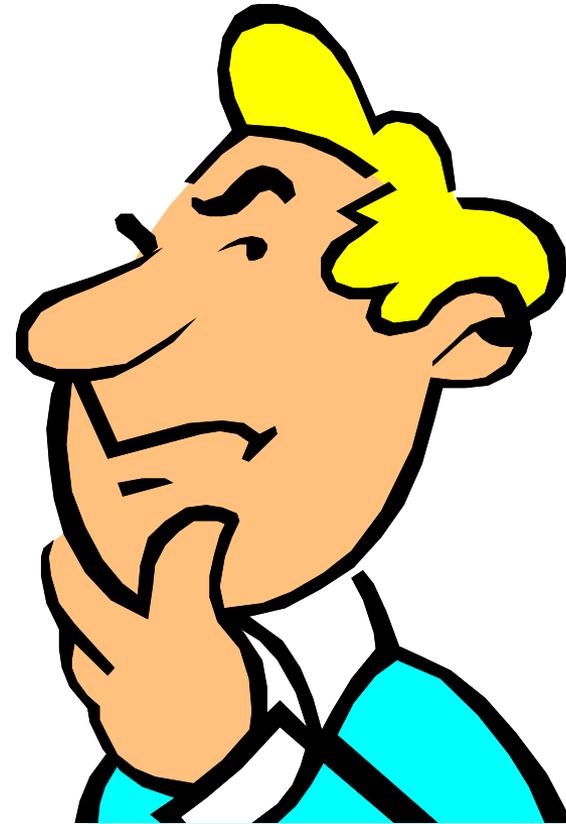
- Provide compliance assistance to small and very small plants
- Provide information on outreach and available resources
- Attend meetings, roundtables, and workshops as directed
- Communication is the key!

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
 - Keith Payne, OOEET (202) 690-6522

SBREFA Small and Very Small Plant Outreach

Questions



SBREFA



Workshop Time!