ANNOUNCED VS. UNANNOUNCED INSPECTIONS

ANNOUNCED INSPECTIONS

If the produce grown on your farm is covered by the Produce Safety Rule, the inspector will schedule an inspection date that works for both the inspector and the person in charge. In most cases the inspection will be scheduled within five business days of contact with the person in charge. If the person in charge is not the produce safety/quality expert, the inspector may suggest that individual also be present for the inspection. The inspector will explain the general flow of the inspection, what the inspection will cover and records that may be reviewed.

The inspector will ask if your farm has any biosecurity practices, hazards, safety protocols and other requirements that the inspector needs to be aware of and adhere to before the visit.

UNANNOUNCED INSPECTIONS

Most inspections will be announced but there are circumstances in which unannounced inspections may be conducted. The following are examples of when an unannounced inspection may occur:

1. If your farm is unresponsive (no contact within five business days after reasonable contact attempts have been made) or unwilling to set a date for an "announced" inspection;
2. If your farm has had produce safety issues in the past and the issues have not been corrected;
3. If a follow-up inspection is needed and an unannounced inspection may work best to observe the necessary changes being made; or
4. In response to a complaint, recall or foodborne outbreak investigation.

ADDITIONAL RESOURCES

What is the rule?
bit.ly/FSMA-FinalPSR

Exemptions to the Produce Safety Rule
bit.ly/PSR-Exemptions

Water Update: FDA considering simplifying agricultural water standards
bit.ly/FDA-WaterUpdate

FSMA final law in formal language
bit.ly/FSMA-FinalLaw

FSMA compliance dates
bit.ly/FSMA-ComplianceDates

What to Expect During an On-Farm Readiness Review
bit.ly/WhatToExpect-OFRR

NEBRASKA
DEPARTMENT OF AGRICULTURE

Nebraska Department of Agriculture
Food Safety and Consumer Protection, Produce Safety

301 Centennial Mall South
P.O. Box 94757
Lincoln, Nebraska 68509

Phone: (402) 471-2537
Email: agr.produce.safety@nebraska.gov
Website: nda.nebraska.gov/producesafety

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What to Expect of a Regulatory Inspection

Information for Produce Growers

NEBRASKA
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DEPARTMENT OF AGRICULTURE

The Nebaska Department of Agriculture (NDA) may conduct an inspection of your farm for a variety of reasons, such as a routine or follow-up inspection. Inspections are one part of our regulatory program related to produce safety, which also includes education, outreach and technical assistance. This document provides you with an overview of the steps that state or federal inspectors will take when conducting routine inspections for the Food Safety Modernization Act (FSMA) Produce Safety Rule (PSR). If you have questions after reading this document, contact Caitlyn Andrews, 402-471-2537.

SCHEDULING THE INSPECTION

The NDA inspector will call the person in charge of produce safety, such as the farm owner or manager, to schedule the inspection. That person should also accompany the inspector during the inspection.

During the pre-inspection call, the inspector will ask questions to determine whether the PSR applies to your farm. Utilize the FDA decision tree entitled "Standards for Produce Safety, Coverage and Exemptions/Exclusions" (http://bit.ly/FDADecisionTree) to assist in this discussion.

The inspector will discuss:

- Whether your farm grows covered produce (produce regulated by the rule);
- Whether your farm conducts covered activities (growing, harvesting, packing or holding);
- Farm size (produce sales and/or food sales), to determine if your farm is subject to the rule or meets the requirements for a qualified exemption;
- Whether your farm meets the requirements for the processing exemption.

If your farm is "exempt" or "qualified exempt," the inspector may perform an inspection to review records that support this status. Please see the Produce Safety Alliance document, "Records Required by the FSMA Produce Safety Rule," (http://bit.ly/PSARecordsRequirement).

DAY OF THE INSPECTION

When an inspector arrives on your farm, the inspector will ask to speak to the owner or person in charge. The inspector will introduce him or herself (name, title, agency), and the reason for the visit, and he or she will provide identification. The inspector will issue a written Notice of Inspection or similar form to you. It is preferred that the owner, person in charge, or produce safety manager is onsite for the inspection. A person knowledgeable in growing, harvesting, packing and holding activities, preferably the person responsible for produce safety, should plan on accompanying the inspector during the inspection, as well.

INITIAL INTERVIEW

The inspector will provide you with a brief description of the reason for and scope of the inspection and activities to be conducted during the inspection. The amount of time an inspection will take depends on the type of inspection, farm activities, size of the farm, and what is observed during the inspection. The inspector will ask you about the activities performed the day(s) of the inspection, such as whether the farm is planting, harvesting, packing or holding.

WALK-THROUGH OF THE FARM

During the inspection, the inspector will observe your farm operation, working with you to coordinate inspection activities with farm operations. It is helpful for the person in charge or produce safety manager to accompany the inspector during the inspection. An inspector may ask questions about farming practices and operations that they are not able to observe during the inspection. He or she will take notes, and may take pictures, may collect samples, and will review and may copy records, such as training and biological soil amendment records.

Throughout the inspection, the inspector will explain what is being looked at and why. If there are any regulatory concerns, the inspector will discuss them with you and explain the reason(s) for each regulatory concern and the public health significance.

EXIT INTERVIEW

It is preferable if the most responsible person on your farm, such as the farm owner or manager, is available during the exit interview. The inspector will go over any regulatory concerns and findings and provide you with information on resources and technical assistance. If you are able to make corrections during the inspection, the inspector will document the corrections that you implemented. If the deficiency cannot be corrected during the inspection, the inspector will work with you to determine a reasonable time frame to implement preventive measures and corrective actions. During the exit interview, the inspector will also identify preventive produce safety practices and conditions on your farm that align with the requirements of the Produce Safety Rule. The inspector will also answer any questions you may have regarding the inspection. He or she will also provide you with an inspection sheet with agency contact information that will document the inspection.