

## **Commonly Asked Questions from Small and Very Small Plants Regarding Noncompliance Records (NR) (2)**

### **Q1: What can I do if I do not agree with the documentation on the Noncompliance Record (NR)?**

**A1:** You have the right to appeal all or part of the NR. The appeal should be addressed through the FSIS chain-of-command. 9 CFR 306.5 and 9 CFR 381.35 state that the establishment shall appeal to the immediate supervisor of the person who made the decision. The chain of command can be found in the [Compliance Guideline for Small and Very Small Plants Appealing Inspection Decisions](#). Click on the link below to go to this document.

[http://www.fsis.usda.gov/Regulations\\_&Policies/Compliance\\_Guides\\_Index/index.asp](http://www.fsis.usda.gov/Regulations_&Policies/Compliance_Guides_Index/index.asp)

### **Q2: Do I have to respond in writing to an NR?**

**A2:** The establishment is not required to respond in writing to an NR. However, doing so may assist the establishment by creating a written record. When inspection program personnel document noncompliance, the establishment must comply with regulatory requirements by correcting the noncompliance or contesting the validity of the finding of noncompliance on the NR. In some situations, this will include documenting the corrective actions in the establishment Sanitation SOP or HACCP records.

### **Q3: How long do I have to respond to an NR?**

**A3:** There is no specified timeframe for responding to an NR. However, the establishment should immediately address product adulteration or the creation of insanitary conditions.

### **Q4: How long can inspection program personnel delay the issuance of an NR after the observation?**

**A4:** There is no specific time requirement for which an NR is to be issued, but inspection program personnel are instructed to issue NRs by the end of the shift when possible.

### **Q5: What is an ISP code on the NR?**

**A5:** ISP stands for "Inspection System Procedure Guide." Inspection program personnel follow the ISP which describes inspection activities in code form for the individual procedures used to verify compliance with the regulations.