Working with Your Inspector

### Local Food Advisory Committee document 002, DRAFT; April 18, 2016

# Who is this fact sheet for?

Farmers, meat processors, food manufacturers, farmers’ market vendors, grocery store or on-farm store owners and managers, food hub managers, food stand operators, caterers, on-farm dinner providers – or anyone else who produces or sells food to the public under a license.

# Who is my inspector?

Ah, a question that sounds easy but can become very confusing!

* If you produce or sell a food *product*; that is, something that is an ingredient or that needs to be prepared or at least unwrapped before use, you are probably under the jurisdiction of the Minnesota Department of Agriculture (MDA).   
    
  Find out who your inspector is using this online map and search tool: <http://gis.mda.state.mn.us/food/>   
    
  Or, call the MDA’s Dairy & Food Inspection Division at 651-201-6027.
* If you do food *service*; that is, you prepare and/or serve ready-to-eat foods and/or beverages; you are probably under the jurisdiction of the Minnesota Department of Health (MDH). However, the MDH delegates inspection duties to city- or county-based inspectors in some parts of the state.   
    
  Find out if you are in a “delegated authority” area or if you are in an area covered directly by the MDH, and find contact information for your inspector, using this online map:   
  <http://www.health.state.mn.us/divs/eh/food/license/contactmap.html>
* If you do both product sales and food service, who your inspector is depends on which of those you do the most. If >50% of your sales are food *products*, contact an MDA inspector. If >50% of your sales are food *service*, contact an MDH or delegated authority inspector.

# What should I know about working with an inspector?[[1]](#footnote-1)

## Reach out to your inspector early.

Food inspectors have a job to do: protect public health. They take that job seriously. They would far rather work with a food entrepreneur very early in their process of business development and help work through questions and issues, rather than stumble upon a business that is already up and running without important features that would protect food safety.

Working with an inspector early and up-front can save you time, money, and headaches down the road.

Inspectors are resource people who have a wealth of information available about equipment, work area layout, sanitation practices, and other features of safe food facilities that not only reduce risk to the public, but also reduce your risk of liability for a food illness outbreak. Working with your inspector is not only required, but can also be of great benefit to your bottom line.

## Don’t take disagreements with your inspector personally.

This is often difficult for food entrepreneurs, because you have poured so much of your life into your farm or food business. That farm or business may be a passion that has been handed down for several generations. It cuts deep if an inspector tells you that you aren’t doing something right, and the first impulse can be to get angry.

Suppress that first impulse. The inspector is doing her or his job, and as a food business professional you need to be able to accept that corrections from inspectors are part of the reality of doing business. Receiving a notice from an inspector is not a mark of your personal failure. Notices of corrections needed happen to every food business at some point – the largest ones all the way down to the smallest ones. If you are not able to act in a professional manner toward your inspector, find a different person in your business who can to represent you in dealings with the inspector.

## Don’t be afraid to ask questions.

Food rules are extensive, complex, and confusing. Inspectors receive training, but especially for small-scale food entrepreneurs who have unique business configurations, your situation is probably not something the inspector sees every day. The inspector may interpret regulations in a way that you believe is not the common practice for your type of business. It’s okay to question your inspector – in a calm and professional manner, of course. You have the right to ask for explanations of anything you don’t understand. You have the right to ask for clarification of the regulations that apply to you if you suspect that the inspector is mistaken.

## Try to resolve issues in collaboration with your inspector, but don’t get stuck.

If you have a disagreement with your inspector, it is best to try to work it out with that inspector first. Present your side of the argument in a rational manner. When a problem is identified by an inspector in a written notice, it is highly recommended that you respond to the issue in writing on the same document. If you agree that the problem exists, say how you will fix it. If you disagree with the inspector’s statements, say so, and explain why. This can lead to the explanation and clarification of regulations mentioned in the previous paragraph.

If you and the inspector cannot resolve the issue on your own, then the best next step is to agree to both communicate with the inspector’s supervisor.

If you are not comfortable with contacting higher-up staff at the regulatory agency, or if you need some outside assistance in understanding regulatory issues that you face, contact one of the Referral Organizations listed in the appendix to this fact sheet. Some of these organizations are experienced in navigating the food regulatory system and can help you communicate effectively with the regulatory agency.

## Don’t hide mistakes.

Farms and food businesses are complex enterprises. There are many complex regulations that are difficult to keep straight, and mistakes will happen. Being honest and transparent about things that went wrong will help build trust between you and your inspector.

1. Concepts in this section are adapted from a Meatingplace.com blog post by Gregory Bloom: “Working effectively with your plant inspector (Part 2).” <http://www.meatingplace.com/Industry/Blogs/Details/54887>; accessed 2/11/15. [↑](#footnote-ref-1)