

**Minnesota Department of Agriculture  
Food and Feed Safety Division**

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Version #: 1.0	Effective Date: 12/28/2016
Title: <b>Notice of Repeat Violations</b>	

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**1. PURPOSE**

The purpose of this procedure is to describe the process used to compose and issue NOTICE OF REPEAT VIOLATIONS.

**2. SCOPE**

This document will cover all notice of repeat violations issued by Compliance Unit Staff of the MN Department of Agriculture's (MDA) Feed and Food Safety Division (FFSD).

**3. BACKGROUND**

A NOTICE OF REPEAT VIOLATIONS (NRV) is an enforcement tool used in the *Progressive Enforcement Continuum*. Notices of repeat violations are an initial step in the enforcement process and are used when repetitive violations have been observed and documented on inspection reports. This type of communication is used to communicate to a facility that compliance has not been maintained and requests written confirmation the deficiencies observed have been corrected. An NRV is used when non-compliance is limited to single repetitive violations or for compliance cases of lower public health significance.

**4. RESPONSIBILITY**

**Compliance Case Administrator** –The Compliance Case Administrator will create NRVs as needed, send correspondence, monitor correspondence for responses to NRV letters, and maintain compliance case files.

**Compliance Supervisor** – The Compliance Supervisor will monitor correspondence for responses to NRV letters.

**Compliance Officer** – The Compliance Officer will draft NRV letters as needed, update the SP Case status, and monitor correspondence for responses to NRV letters.

**5. DEFINITIONS**

**Notice of Repeat Violations (NRV):** A written notice used when there is documented evidence of repetitive violations.

**6. PROCEDURES**

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**6.1 Draft NRV Letter - Compliance Officer**

6.1.1 For enforcement cases where a NOTICE OF REPEAT VIOLATIONS (NRV) has been selected as the enforcement tool for compliance:

6.1.1.1 Draft a letter using the *Notice of Repeat Violations Template*.

6.1.1.2 Upload the NRV to the SharePoint (SP) enforcement file and change the file status as appropriate.

**6.2 Prepare and send NRV Letter - Compliance Case Administrator**

6.2.1 Complete the following for regulated entities identified in *FOOD.60.10 - Enforcement Trigger and Assessment SOP* where the Trigger Event is limited to Chronic Violations identified for the first time:

6.2.1.1 Create an Enforcement ID for each legal entity in USAFS.

6.2.1.2 Use the *Notice of Repeat Violation Template Letter* to prepare and send a NRV letter for each legal entity.

6.2.1.3 Add a copy of the NRV letter in the USAFS Enforcement ID for each legal entity.

6.2.2 For enforcement actions prepared by the Compliance Officers:

6.2.2.1 Prepare the completed letter and enclosures received and attach to the SharePoint enforcement file and the assigned Enforcement ID in USAFS.

6.2.2.2 Send letter including enclosures via first class mail and email if available.

**6.3 Monitor Correspondence - All Compliance Staff**

6.3.1 Monitor Compliance Unit correspondence for NRV responses and follow applicable work instructions for maintaining documentation.

6.3.2 Allow at least 30 days for a response from the regulated entity.

6.3.3 Maintain all documentation related to the assessment of the NRV in the electronic files per program policy.

**7. RELATED DOCUMENTS (includes References, Attachments)**

Notice of Repeat Violations Template

FOOD.60.10 – Enforcement Trigger and Assessment SOP

**8. EQUIPMENT/MATERIALS NEEDED**

N/A

**9. SAFETY**

N/A

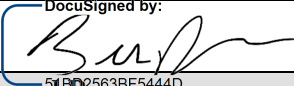
**10. CIRCULATION**

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This policy will be circulated to the following groups: Compliance Unit, Food Program Management, and the Food Standards Coordinator. The current version will be stored electronically on the FFSD document control site.

**11. APPROVAL/DOCUMENT HISTORY**

Document History		
Version #	Status (I, R)	Change History
1	I	<b>Initial Policy Drafting.</b>
DocuSigned by: 		12/28/2016
<b>Approved By:</b>		<b>Date</b>
<b>Approved By:</b>		<b>Date</b>

I = Initial document; R = Revised document