

# Regulatory Control Action (RCA) Job Aid

**Instructions:** Review this Job Aid and policy documents, regulations, and inspection methodologies with a mentor.

## Acronyms/Definitions

- Regulatory Control Action (RCA) – The retention of product, rejection of equipment or facilities, slowing or stopping of lines, or refusal to allow the processing of specifically identified product.

## RCA Overview

- FSIS may take a RCA because of ([FSIS Directive 5000.1](#), Ch. VI., Sec. II.):
  - Insanitary conditions or practices
  - Product adulteration or misbranding
  - Conditions that preclude FSIS from determining that product is not adulterated or misbranded
  - Inhumane handling or slaughtering of livestock
- RCAs include:
  - Applying a Rejected/Retained tag
  - Slowing or stopping the production line
  - Refusing to allow the processing of specific product
- A RCA covers a wide variety of inspection tasks.
- A RCA is a limited focus action that is to be used to address specific problems that IPP come upon while performing their verification tasks.
- A RCA permits IPP to identify regulatory noncompliance and prevent the movement of the product involved or use of the equipment or facility involved until the noncompliance has been corrected. IPP are not required to give the establishment prior notification that they are about to execute a RCA.

## Basic Procedure

- Gather and assess findings to determine whether a RCA is needed.
- Place a tag to retain affected product or reject equipment or facilities. It may be necessary to apply more than one tag.
  - **Note:** IPP use U.S. Rejected tags to reject **equipment** and U.S. Retained tags to retain **product**. The actual tag used in each situation is the same, however IPP mark the appropriate box (U.S. Retained or U.S. Rejected) depending on what IPP are tagging.
- Write remarks on the stub of the tag at the bottom and tear it off. You will need the tag number and information to enter on the Noncompliance Record.

- If a RCA is taken, immediately notify the establishment orally or in writing (on the NR) of the action and the basis for the action.
- Only IPP can remove a RCA.
  - When an establishment violates a RCA by removing a reject or retain tag, IPP discuss with the establishment, document the discussion in a Memorandum of Interview, and notify their supervisor.
- Do not remove the RCA until IPP verify that the establishment has brought itself back into regulatory compliance.
  - **Note:** For Sanitation SOP failures involving product, remove the RCA when the establishment has proposed corrective actions that restore sanitary conditions, ensure appropriate disposition of products and prevent recurrence of direct contamination or adulteration of products.
- An establishment may appeal a RCA.
- Examples of RCAs:
  - A RCA may be warranted for direct product contamination with a contaminant that does not result in a food safety hazard.
  - A RCA may be warranted with respect to product that is economically adulterated.
  - A RCA may also be warranted as a result of regulatory noncompliance even when there is no product contamination or adulteration.
  - A RCA is to be taken when IPP are assessing sanitary conditions of the establishment prior to operation and observe product residue from the previous day's production on a food contact surface.
  - A RCA would be warranted if IPP determine that packaged product does not meet the net weight requirements.
  - IPP are to initiate a RCA when there is noncompliance with the SPS or Sanitation SOP regulations, if control is needed to prevent contamination of product.

**Note:** RCAs typically are not used for HACCP regulatory noncompliance unless control is necessary to prevent shipment of contaminated or adulterated product.

### Discussion Points

- Discuss applying and removing a RCA.
- Discuss situations where a RCA is to be taken.
- Discuss situations where a RCA would not be warranted.

### Knowledge Check

- What is a RCA?
- When are IPP to take a RCA?
- List a few examples of a RCA.

### Resources

- [9 CFR 500](#)
- [FSIS Directive 5000.1](#) – *Verifying an Establishment's Food Safety System*
- IM Workbook – Rules of Practice