



Customer Complaints and Product Recalls

Complaint Letters

A complaint letter requests some sort of compensation for defective or damaged merchandise or for inadequate or delayed services. While many complaints can be made in person, some circumstances require formal business letters. The complaint may be so complex that a phone call may not effectively resolve the problem; or the writer may prefer the permanence, formality, and seriousness of a business letter. The essential rule in writing a complaint letter is to maintain your poise and diplomacy, no matter how justified your gripe is. Avoid making the recipient an adversary.

In the letter, identify early the reason you are writing "to register a complaint and to ask for some kind of compensation. Avoid leaping into the details of the problem in the first sentence.

State exactly what compensation you desire, either before or after the discussion of the problem or the reasons for granting the compensation. (It may be more tactful and less antagonizing to delay this statement in some cases).

Provide a fully detailed narrative or description of the problem. This is the "evidence." Explain why your request should be granted. Presenting the evidence is not enough: state the reasons why this evidence indicates your requested should be granted.

Suggest why it is in the recipient's best interest to grant your request: appeal to the recipient's sense of fairness, desire for continued business, but don't threaten. Find some way to view the problem as an honest mistake. Don't imply that the recipient deliberately committed the error or that the company has no concern for the customer. Toward the end of the letter, express confidence that the recipient will grant your request.

Adjustment Letters

Replies to complaint letters, often called letters of "adjustment," must be handled carefully when the requested compensation cannot be granted. Refusal of compensation tests your diplomacy and tact as a writer. Here are some suggestions that may help you write either type of adjustment letter:

- Begin with a reference to the date of the original letter of complaint and to the purpose of your letter. If you deny the request, don't state the refusal right away unless you can do so tactfully.



- Express your concern over the writer's troubles and your appreciation that he has written you.
 - If you deny the request, explain the reasons why the request cannot be granted in as cordial and non-combative manner as possible. If you grant the request, don't sound as if you are doing so in a begrudging way.
 - If you deny the request, try to offer some partial or substitute compensation or offer some friendly advice (to take the sting out of the denial).
 - Conclude the letter cordially, perhaps expressing confidence that you and the writer will continue doing business.
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Food Recalls

A food recall is a voluntary action by a manufacturer or distributor to protect the public from products that may cause health problems or possible death.

Who regulates food products?

The Food Safety and Inspection Service (FSIS) of the U.S. Department of Agriculture (USDA) inspects and regulates meat and poultry products and processed eggs (eggs that have been removed from their shells for further processing) produced in federally inspected plants. FSIS is responsible for ensuring that these products are safe, wholesome, and accurately labeled. All other food products are regulated by the Food and Drug Administration (FDA).

What is the purpose of a recall?

The purpose of a recall is to remove meat or poultry from commerce when there is reason to believe it may be adulterated (injurious to health or unfit for human consumption) or misbranded (false or misleading labeling and/or packaging). Who decides when a recall is necessary? All recalls are voluntary. They may be initiated by the manufacturer or distributor of the meat or poultry or at the request of FSIS. If a company refuses to recall its product, then FSIS has the legal authority to detain and/or seize meat and poultry product(s) in commerce when there is reason to believe they are hazardous to public health or if other consumer protection requirements are not met.

How are unsafe products discovered?

Unsafe or improperly labeled meat and poultry can come to the attention of FSIS in many different ways:

- The company that manufactured or distributed the food informs FSIS of the situation.
- The discovery is made through test results received by FSIS as part of its sampling program.
- SIS field inspectors and compliance officers, in the course of their routine duties, gather information and make observations that may lead to the discovery of unsafe or improperly labeled foods.



- FSIS may learn of unsafe food from consumer complaints, epidemiological data submitted by state or local public health departments, other USDA agencies, and other Federal agencies such as FDA and the Department of Defense.

As soon as FSIS learns that a possibly unsafe or mislabeled food is in commerce, it conducts a preliminary investigation to determine whether a recall of the meat or poultry is necessary. Potentially hazardous foods are removed from commerce as quickly as possible. The primary role of FSIS is to closely monitor the effectiveness of the firm's recall procedures and to provide scientific and technical advice.

FSIS has a standing Recall Committee that works with the company to coordinate the recall. It is chaired by the Recall Management Division and consists of FSIS scientists, technical experts, field inspection managers, enforcement personnel, and communications specialists.

What is the role of the Recall Committee?

When there is reason to believe that recalling meat or poultry is necessary to protect public health, the Recall Management Division convenes a meeting of the Recall Committee. The Committee evaluates all available information and, if it believes a meat or poultry recall is necessary, requests that the firm recall the suspect food.

After an evaluation of the situation, the Recall Committee classifies the recall based on the relative health risk as follows:

- **Class I** - A Class I recall involves a health hazard situation where there is a reasonable probability that eating the food will cause health problems or death. Meat that is contaminated with pathogenic bacteria, such as *Listeria monocytogenes* in a ready-to-eat product or *Escherichia coli* O157:H7 in raw ground beef, would be subject to a Class I recall. Also, adding Class I allergens, such as peanuts or eggs, as an ingredient in processed meat without listing them on the label would justify a Class I recall.
- **Class II** - A Class II recall involves a potential health hazard situation where there is a remote probability of adverse health consequences from eating the food. An example of a Class II recall would be the presence of dry milk, a Class II allergen, as an ingredient in sausage without mention of the dry milk on the label.
- **Class III** - A Class III recall involves a situation when eating the food will not cause adverse health consequences. An example would be improperly labeled processed meat in which added water is not listed on the label as required by Federal regulations.

In addition to determining the class of the recall, the Recall Committee verifies that the company has identified production and distribution information to facilitate the recall.

When its investigation is complete, the Recall Committee advises the company of its recommendation and also provides an opportunity for the firm to offer any information it wishes FSIS to consider regarding the recall. The Recall Committee considers all information and makes a final recommendation.



How does FSIS notify the public when a product is recalled?

For every recall, FSIS notifies the public in two ways - through a press release and a Recall Notification Report (RNR). The press release is issued to media outlets in the areas where the product was distributed and to an email list-serv. The public can request to receive FSIS press releases and other FSIS materials by subscribing to the FSIS Constituent Update at: www.fsis.usda.gov/oa/update/subscribe.asp. The news release and RNR are both posted on the FSIS Recall Web site: www.fsis.usda.gov/OA/recalls/rec_intr.htm.

In addition, if the recalled product is a commodity food that was purchased by USDA and distributed through food distribution programs, such as the National School Lunch Program, a federally assisted meal program, FSIS notifies the USDA's Food Nutrition Service, which notifies the FNS Regional Offices and states. The states, in turn, notify recipient schools and other feeding program coordinators to hold the product. In addition, FNS notifies its Regional Offices and states when a food is recalled that is not part of the commodity distribution system, but may be purchased locally by schools. These are foods that are manufactured in large pack sizes and generally distributed to institutions.

After FSIS has determined that the recalling firm has made all reasonable efforts to retrieve and appropriately dispose of the recalled food, the firm is officially notified by letter that the recall is completed and no further action is expected. Does FSIS keep documentation on recalls? The Recall Management Division maintains comprehensive case files for all recalls coordinated by FSIS.

Where can consumers find information on recalls of food products?

Food Safety and Inspection Service Recall Information Center Web site:
www.fsis.usda.gov/OA/recalls/rec_intr.htm
Meat and Poultry Hotline: 1-800-535-4555
E-mail: mph hotline.fsis@usda.gov

For information on recalls of all other foods, please contact FDA's Center for Food Safety and Applied Nutrition's Outreach and Information Center at 1-888-SAFE FOOD (1-888-723-3366).

Additional information is also available on the Web site: www.foodsafety.gov.

Where can the public find other information on the recall process?

For additional information on the recall process, consumers may want to read the following documents available through FSIS:



Recall of Meat and Poultry Products, FSIS Directive 8080.1, Rev. 3, January 19, 2000. (also in PDF)

Product Recall Guidelines for Firms, FSIS Directive 8080.1, Rev. 3, Amendment 2, January 19, 2000. (also in PDF; go to page 9)

Improving Recalls at the Food Safety and Inspection Service, Report of the Recall Policy Working Group, August 1998. (also in PDF)

A Review of Recall Policies at the Food Safety and Inspection Service, The Product Recall Research Group, Directed by Dirk C. Gibson, Ph.D., June 1, 2000.

Evaluation Report - FSIS Recall Notification and Industry Guidance, Evaluation and Analysis Division, OPPDE, September 2000. (PDF only)