

Non-Discrimination Notice to Small Business Entities

Small Business Regulatory Enforcement Fairness Act (SBREFA) - Notice of Non-Retaliation

SBREFA Overview

Pursuant to Section 30(b)(2)(B) of the Small Business Regulatory Enforcement Fairness Act (SBREFA), the below text applies to, and must appear on, all agency communications or contact from USDA personnel, which could be received by a small entity¹. Communications include, but are not limited to, notifications of audit / inspection / civil penalty, compliance assistance efforts, and other enforcement-related communications. Notification of intent to pursue a fine or civil penalty is considered an enforcement action for the purposes herein.

USDA will not retaliate against you in any fashion if you question or lodge a complaint regarding a policy or action of the Department of Agriculture. This policy applies if you complain or comment to us or to anyone else, or if you seek outside help in dealing with USDA policy or action. This policy does not affect the right of USDA to impose penalties allowed by a contract or agreement or to terminate for unsatisfactory performance any contract or agreement. This policy does not require USDA to enter into or continue any contract or agreement that is not satisfactory to the Department.

SBREFA Text

“The National Ombudsman resolves concerns of uneven or excessive federal regulatory enforcement. Reviews are confidential and do not waive the right to pursue administrative appeals or any other legal action. 888-REG-FAIR / Ombudsman@SBA.gov.”

Small businesses subject to USDA rules and requirements have the right to seek assistance from the SBA National Ombudsman concerning the enforcement actions of Federal agencies. If you wish to comment on the enforcement actions of USDA, call 888-REG-FAIR, email ombudsman@sba.gov, or visit www.sba.gov/ombudsman.”

¹ *Businesses with 1,500 or fewer employees, independent schools / universities, trade associations, other non-profits, cities, counties, towns, townships, villages, school districts, and other special districts.*